

SOUTHERN CALIFORNIA



ASSOCIATION of  
GOVERNMENTS

**Main Office**

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Los Angeles, California  
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[www.scag.ca.gov](http://www.scag.ca.gov)

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**Ventura County:** Judy Mikels, Ventura County • Glen Herrera, Simi Valley • Carl Morehouse, San Buenaventura • Tom Young, Port Hueneme

**Orange County Transportation Authority:** Charles Smith, Orange County

**Riverside County Transportation Commission:** Robin Lowe, Hemet

**Ventura County Transportation Commission:** Bill Davis, Simi Valley

## No. 456 MEETING OF THE

# REGIONAL COUNCIL

Thursday, November 4, 2004  
12:30 p.m. – 2:00 p.m.

## SCAG Offices

818 W. 7th Street, 12th Floor  
San Bernardino Conference Room  
Los Angeles, California 90017  
213.236.1800

## Agenda and Map Enclosed

Agendas and Minutes for the  
Regional Council are also available at  
[www.scag.ca.gov/committees/rc.htm](http://www.scag.ca.gov/committees/rc.htm)

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact Shelia Stewart at 213.236.1868 or [stewart@scag.ca.gov](mailto:stewart@scag.ca.gov).

SCAG, in accordance with the Americans with Disabilities Act (ADA), will accommodate persons who require a modification of accommodation in order to participate in this meeting. If you require such assistance, please contact SCAG at 213.236.1868 at least 72 hours in advance of the meeting to enable SCAG to make reasonable arrangements. To request documents related to this document in an alternative format, please contact 213.236.1868.

# REGIONAL COUNCIL

## AGENDA

		PAGE #	TIME
1.0	<b><u>CALL TO ORDER &amp; PLEDGE OF ALLEGIANCE</u></b>	Councilmember Roberts, President	
	MEETING FOCUS: <i>Audit Budget</i>		
2.0	<b><u>PUBLIC COMMENT PERIOD</u></b> – Members of the public desiring to speak on items on the agenda, or items not on the agenda, but within the purview of the Council, must fill out and present a speaker's card to the Exec. Assistant prior to speaking. A speaker's card must be turned in before the meeting is called to order. Comments will be limited to three minutes. The President may limit the total time for all comments to twenty minutes.		
3.0	<b><u>CONSENT CALENDAR</u></b>		
3.1	<b><u>Approval Items</u></b>		
3.1.1	<u>Approve Minutes of Oct. 7, 2004 Attachment</u>	01	
3.1.2	<u>Approval of Contracts Attachment</u> <ul style="list-style-type: none"><li>• IBI Group</li><li>• Solimar Research Group</li></ul>	09	
3.1.3	<u>Approve Proposed Date, Location &amp; Budget for SCAG's 2005 Regional Council Retreat Attachment</u>	14	
3.1.4	<u>Approve Letter of Support for Caltrans Application Attachment</u>	15	
3.2	<b><u>Receive &amp; File</u></b>		
3.2.1	<u>Contracts &amp; PO between \$5,000 - \$25,000 Attachment</u>	17	
3.2.3	<u>SCAG Legislative Matrix Attachment</u>	19	



# REGIONAL COUNCIL

## AGENDA

	<i>PAGE #</i>	<i>TIME</i>
<b>3.2 <u>Receive &amp; File – Cont'd</u></b>		
3.2.4 <u>Meeting Summary from Policy Committees Attachment</u>	41	
3.2.5 <u>California Performance Review Report Summary Attachment</u>	43	
3.2.6 <u>Regional HOV Lane System Performance Study Attachment</u>	48	
<b>3.0 <u>PRESIDENT'S REPORT</u></b>		
3.1 <u>Report on meeting with Seoul Development Institute in Seoul, Korea</u>		
3.2. <u>Appointments</u>		
<b>4.0 <u>EXECUTIVE DIRECTOR'S REPORT</u></b>		
<b>5.0 <u>ACTION ITEMS</u></b>		
5.1 <u>Administration Committee Report</u>	<b>Councilmember Dixon, Chair</b>	
5.1.2 <u>FY 2004-2005 OWP Budget Amendment # 2 Attachment</u>		50
<b>Recommended Action:</b> Adopt Resolution 04-456-1 approving FY 2004-2005 Amendment #2.		
5.1.1 <u>Audit &amp; Best Practices Oversight Subcommittee Report Attachment</u>	<b>Councilmember Tyler, Chair</b>	70
• Annual Financial Statements		
<b>Recommended Action:</b> Adopt		
5.2 <u>Transportation &amp; Communications Committee (TCC) Report</u>	<b>Councilmember Garcia, Chair</b>	



# REGIONAL COUNCIL

## AGENDA

		<i>PAGE #</i>	<i>TIME</i>
5.3	<b><u>Energy &amp; Environment Committee (EEC) Report</u></b>	Supervisor Kuiper , Chair	
5.3.1	<b><u>Salton Sea Authority (SSA) Resolution # 04-455-1 Attachment</u></b>		71
	The SSA's preferred alternative plan is a basis for regional-state cooperation. The resolution recognizes this plan and urges early plan selection and funding.		
	<b>Recommended Action:</b> Adopt		
5.4	<b><u>Community &amp; Human Development Committee (CEHD) Report</u></b>	Councilmember Robertson, Chair	
5.5	<b><u>Communication &amp; Membership Subcommittee Report</u></b>	Councilmember Proo, Chair	
6.0	<b><u>INFORMATION ITEMS</u></b>		
6.1	<b><u>Report from Joe Myers, Executive Director, National Indian Justice Center Attachment</u></b>		76
6.2	<b><u>Monthly Financial Report Attachment</u></b>	Heather Copp, CFO	80
7.0	<b><u>FUTURE AGENDA ITEMS</u></b>		
	Any committee members desiring to place items on a future agenda may make such request. Comments should be limited to three minutes.		

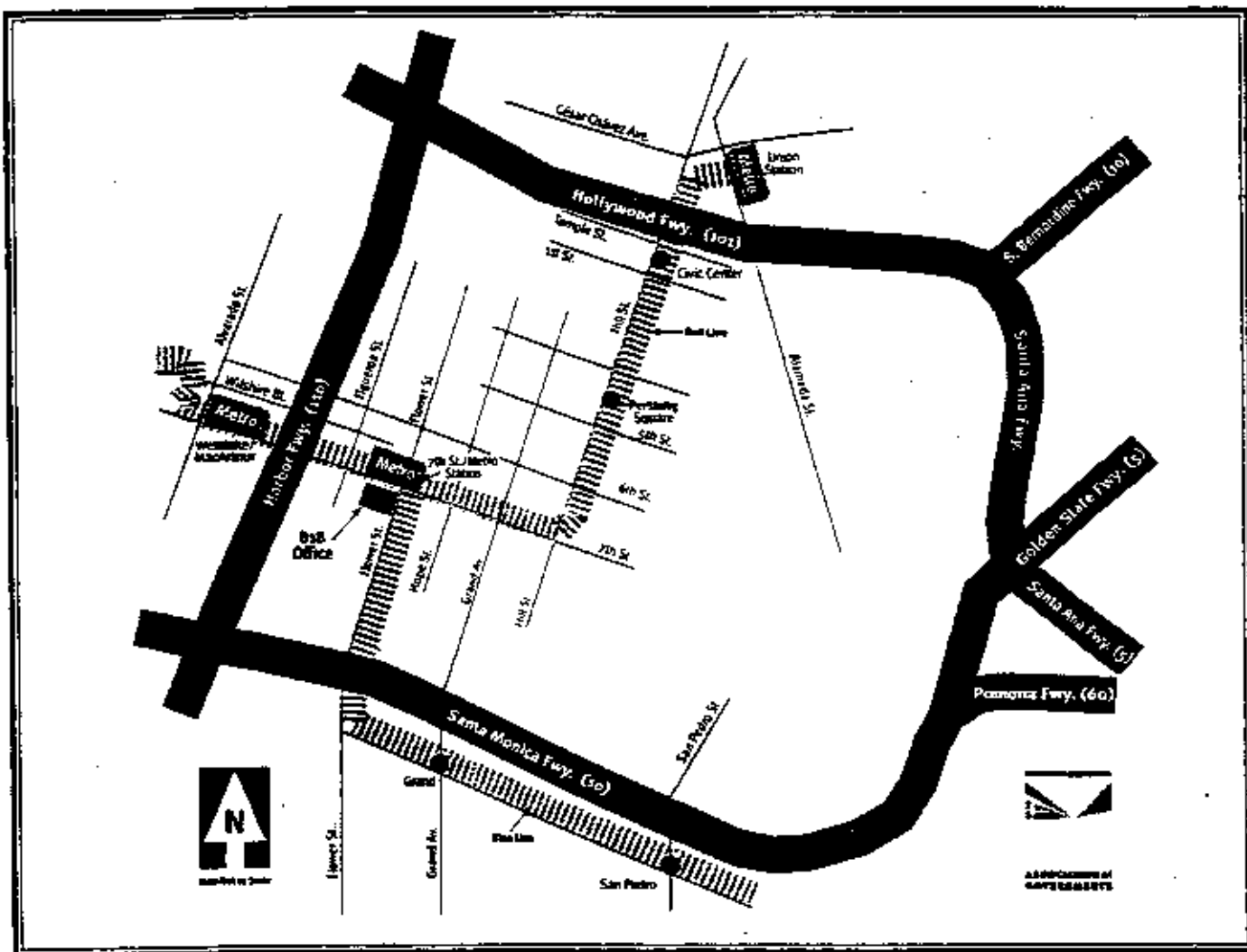
# REGIONAL COUNCIL

## AGENDA

	PAGE #	TIME
<b>8.0</b>	<b><u>LEGAL COUNSEL REPORT</u></b>	
8.1	<b><u>Closed Session</u></b>	
	<ul style="list-style-type: none"><li>• <u>HDR Appeal</u> Significant exposure to litigation pursuant to California Government Code Subdivision C §54956.9 (one potential case) . Conference with Legal Counsel – anticipated litigation</li><li>• <u>Deanna Wetherbee-Distel et al. vs. Miguel Leon Martin et al.; Southern California Association of Governments; Riverside Transit Agency; Western Municipal Water District- Claim for Injuries/Wrongful Death Claim; Case Number: RIC 417340</u> Conference with Legal Counsel re: pending litigation, pursuant to Cal. Gov. Code Section 54956.9</li><li>• <u>Morrison v. SCAG</u> Morrison v. Southern California Association of Governments et al. Superior Court, Los Angeles County, Case No. BC 312066 Conference with Legal Counsel Government Code section 54956.9(a)</li></ul>	
<b>9.0</b>	<b><u>ANNOUNCEMENTS</u></b>	
	The E Region (NARC) Newsletter was emailed to all members. Additional copies will be available at the meeting.	
<b>10.0</b>	<b><u>ADJOURNMENT</u></b>	
	The next meeting is scheduled for December 2, 2004 at SCAG Offices downtown Los Angeles.	



# How to get to the Southern California Association of Governments



## To Get to the 81B Building

- Harbor Freeway (110) Exit on 6th Street, turn right on Flower.

## By Transit...

- SCAG is accessible by all Metrolink Service to Union Station. Transfer to the Metro Red Line (free transfer with Metrolink ticket) and get off at 7th and Metro Station. Metro Line Service to SCAG is also available from Alvarado Station.
- SCAG is accessible by the Blue Line. Get off at 7th and Metro Station.
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## SCAG Main Office:

81B West 7th Street 12th Floor Los Angeles, CA 90017-3435 (213) 236-1800 Fax: (213) 236-1825

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

October 7, 2004

MINUTES

**THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL COUNCIL. AUDIO CASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.**

The Regional Council of the Southern California Association of Governments held its meeting at SCAG Offices downtown Los Angeles. The meeting was called to order by the President Councilmember Ron Roberts, City of Temecula. There was a quorum.

**Members Present**

Councilmember Ron Roberts, Temecula, President	District 5
Supervisor Hank Kuiper, Imperial County, 1st VP	
Mayor Toni Young, Port Hueneme, 2 <sup>nd</sup> VP	District 45
Supervisor Yvonne Burke, LA County	
Supervisor Paul Biane, San Bernardino County	
Supervisor Chris Norby, Orange County	
Councilmember Bonnie Flickinger, Moreno Valley	District 3
Mayor Lee Ann Garcia, Grand Terrace	District 6
Councilmember Susan Longville, San Bernardino	District 7
Councilmember Deborah Robertson, Rialto	District 8
Mayor Bill Alexander, Rancho Cucamonga	District 9
Councilmember Cathryn De Young, Laguna Niguel	District 12
Councilmember Richard Dixon, Lake Forest	District 13
Councilmember Tod Ridgeway, Newport Beach	District 14
Councilmember Lou Bone, Tustin	District 17
Councilmember Alta Duke, La Palma	District 18
Councilmember Marilyn Poe, Los Alamitos	District 20
Councilmember Paul Bowlen, Cerritos	District 23
Councilmember Gene Daniels, Paramount	District 24
Councilmember Keith McCarthy, Downey	District 25
Councilmember Judy Dunlap, Inglewood	District 28
Councilmember Bea Proo, Pico Rivera	District 31
Councilmember Margaret Clark, Rosemead	District 32
Councilmember Dick Stanford, Azusa	District 33
Councilmember Harry Baldwin, San Gabriel	District 35
Councilmember Tom Sykes, Walnut	District 37
Councilmember Llewellyn Miller, Claremont	District 38
Councilmember Paul Nowatka, Torrance	District 39
Councilmember Jim Aldinger, Manhattan Beach	District 40
Councilmember Bob Yousefian, Glendale	District 42

Councilmember Mike Dispenza, City of Palmdale	District 43
Councilmember Dennis Washburn, Calabasas	District 44
Councilmember Glen Becerra, Simi Valley	District 46
Councilmember Carl Morchouse, San Buenaventura	District 47
Councilmember Greig Smith, Los Angeles	District 59
Councilmember Debbie Cook, Huntington Beach	District 64
Councilmember Robin Lowe, Hemet	RCTC
Supervisor Charles Smith, County of Orange	OCTA

### **Members Not Present**

Supervisor Marion Ashley, Riverside County	
Supervisor Judy Mikels, Ventura County	
Supervisor Zev Yaroslavsky, LA County	
Councilmember Jo Shields, Brawley	District 1
Councilmember Greg Pettis, Cathedral City	District 2
Mayor Ron Loveridge, Riverside	District 4
Mayor Gary Ovitt, Ontario	District 10
Mayor Lawrence Dale, Barstow	District 11
Councilmember Richard Chavez, Anaheim	District 19
Councilmember Art Brown, Buena Park	District 21
Councilmember Bev Perry, Brea, Immediate Past President	District 22
Councilmember Frank Gurule, Cudahy	District 27
Councilmember Isadore Hall, Compton	District 26
Councilmember Tonia Reyes-Uranga, Long Beach	District 30
Councilmember Paul Talbot, Alhambra	District 34
Councilmember Sid Tyler, Pasadena	District 36
Councilmember Pam O'Connor, Santa Monica	District 41
Councilmember Ed Reyes, Los Angeles	District 48
Councilmember Wendy Greuel, Los Angeles	District 49
Councilmember Dennis Zine, Los Angeles	District 50
Councilmember Tom LaBonge, Los Angeles	District 51
Councilmember Jack Weiss, Los Angeles	District 52
Councilmember Tony Cardenas, Los Angeles	District 53
Councilmember Alex Padilla, Los Angeles	District 54
Councilmember Bernard Parks, Los Angeles	District 55
Councilmember Jan Perry, Los Angeles	District 56
Councilmember Martin Ludlow, Los Angeles	District 57
Councilmember Cindy Miscikowski, Los Angeles	District 58
Councilmember Eric Garcetti, Los Angeles	District 60
Councilmember Antonio Villariagosa, Los Angeles	District 61
Councilmember Janice Hahn, Los Angeles	District 62
Councilmember Thomas Buckley, Lake Elsinore	District 63
Councilmember Ted Burgnon, Town of Apple Valley	District 65
Mayor James Hahn, Los Angeles	At-Large
Mayor Bill Davis, Simi Valley	VCTC



## **Staff Present**

Mark Pisano, Executive Director  
Jim Gosnell, Deputy Executive Director  
Heather Copp, Chief Financial Officer  
Colin Lennard, General Counsel  
Karen Tachiki, Chief Counsel  
Hasan Ikrata, Director, Planning & Policy  
Huasha Liu, Acting Director, Information Services  
Shelia Stewart, Executive Assistant

### **1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE**

The pledge of Allegiance was led by Councilmember Greig Smith, City of Los Angeles.

### **2.0 PUBLIC COMMENT PERIOD**

Comments were received from Jose Andrade, Resident of Los Angeles, regarding a state requirement of computer literacy prior to graduation.

### **3.0 CONSENT CALENDAR**

Item 3.1.3 was pulled. The remaining consent calendar items were MOVED (Dixon), SECONDED (Young) APPROVED and UNANIMOUSLY APPROVED:

#### **3.1 Approval Items**

3.1.1 Approve Minutes of Sept. 2, 2004

3.1.2 Approve Co-Sponsorship of a Homeland Security Conference

3.1.4 Caltrans Transportation Planning Grant Applications

#### **3.2 Receive & File**

3.2.1 Contracts & PO between \$5,000 - \$25,000

3.2.2 Conflict of Interest Listing

3.2.3 SCAG Legislative Matrix

3.2.4 Meeting Summary from Policy Committees

#### **Item Pulled**

3.1.3 Proposed Date, Location & Budget for SCAG's 2005 General Assembly & 40<sup>th</sup> Anniversary Celebration

The Administration Committee recommended that \$5000 be taken from RC special projects of the General Fund and added to the General Assembly budget item for a total budget of \$15, 000.

It was MOVED (Dixon), SECONDED (Kuiper) and UNANIMOUSLY APPROVED.

### **3.0 PRESIDENT'S REPORT**

- **Appointments**

**Regional Council**

Hon. Rae Gabelich, Long Beach, representing District 29

Hon. Marilyn Poe, Los Alamitos, representing District 20

**Subregional Representatives to Policy Committees**

Rep.CVAG to TCC: Hon. Juan DeLara, Coachella

Rep Gateway Cities to TCC: Hon. Bonnie Lowenthal, Long Beach

**Administration Committee**

Hon. Jim Aldinger, Manhattan Beach

**Communication & Membership Subcommittee**

Hon. Harry Baldwin, San Gabriel

Hon. Art Brown, Buena Park

Hon. Bonnie Flickinger, Moreno Valley

**Maglev Task Force**

Hon. Tom LaBonge, Los Angeles

### **3.1 EXECUTIVE DIRECTOR'S REPORT**

Mark Pisano reported that he and Councilmember Bev Perry participated in meeting with House Appropriations Chair Ernest Istook and Senator Diane Feinstein in Washington, D.C. regarding the conformity issues and financial needs.

Senator Feinstein requested a letter from Lockheed Martin stating its commitment to the California Project. Mr. Pisano will also brief Senator Feinstein and her staff on Maglev on a quarterly basis.

In addition he reported that he spoke about the problem of ethanol tax rates with Senator Feinstein. California recently completed its conversion from fuel blended with MTBE to an ethanol blend. He noted that ethanol is taxed by the federal government at a lower rate, 13.2 cents, compared to the regular gas tax of 18.4 cents. As a result, California receive less in federal reimbursements. Senator Feinstein indicated she plans to work with Senator Tom Harken of Indiana to introduce language in the omnibus appropriations to address the issue.

## **5.0 ACTION ITEMS**

### **5.1 Administration Committee Report**

#### **5.1.1 FY 2005-2006 Overall Work Program (OWP) Priorities**

The Administration Committee recommended approval of the 2005-2005 OWP Priorities. It was MOVED (Dixon), SECONDED (Kuiper) and UNANIMOUSLY APPROVED.

#### **5.1.2 Legal Services Contract**

Councilmember Dixon, Chair reported that the Administration Committee recommended that a Legal Services Subcommittee of the Regional Council, composed of the officers of SCAG be established. The duties of the Subcommittee are outlined in the attachment. In addition, it was recommended that Chief Counsel, after consultation with the Executive Director and General Counsel, have authority to enter into contracts of less than \$25,000.00 and shall report the letting of said contracts to the Legal Services Subcommittee.

The Administration Committee also recommended the amendment of the Fulbright & Jaworski's contract, for the scope of services for Colin Lennard to serve as the General Counsel all as outlined in the attachment.

It was MOVED (Dixon), SECONDED (Young) and UNANIMOUSLY APPROVED

### **5.2 Transportation & Communications Committee (TCC) Report**

#### **5.2.1 Status of Transportation Improvement Program**

The Regional Council approved the RTIP at their September 2, 2004 meeting, the 2004 Regional Transportation Improvement Program. Mr. Ihkrata reported that MTA board took a positive action to fund TCMs, subsequently, the FHWA and FTA approved the RTIP. Mr Ihkrata stated that the approval is conditional, not only for SCAG but for the State as well. The condition is based on the state coming forth with a financial plan based on the adopted budget by April 1, 2005.

Mark Pisano stated that staff completed a tremendous amount of work while working with MTA and others to accomplish the approval of the RTIP and they are to be commended for all of their work and efforts.

### **5.3 Energy & Environment Committee (EEC) Report**

#### **5.3.1 Intergovernmental Framework for Water Quality**

The EEC recommended that the Executive Director be authorized to offer SCAG's assistance to the Los Angeles Regional Water Quality Control Board, for development of an intergovernmental framework through which comprehensive and coordinated Total Maximum Daily Load (TMDL) implementation planning can be done for water quality compliance in the Los Angeles River watershed.

It was MOVED (Kuiper), SECONDED (Young) and UNANIMOUSLY APPROVED.

### **5.4 Community & Human Development Committee (CEHD) Report**

#### **5.4.1 Regional Comprehensive Plan (RCP) Concepts and Approach**

Jacob Lieb, SCAG staff, presented a power point presentation. He stated that as part of the approval of the SCAG Strategic Plan on October 3, 2002, as well as the approval of the Compass Growth Vision on June 3, 2004, the Regional Council directed the creation of a new Regional Comprehensive Plan (RCP). The purpose of this RCP is to serve as a tool for implementing regional policies and programs, in particular the Regional Transportation Plan, its associated Programmatic Environmental Impact Report, and the Compass Growth Vision.

The RCP consolidates and translates programs and policies of SCAG in order to facilitate and promote external, independent actions. The Fiscal Year 04-05 Work Plan calls for SCAG to take all steps necessary to complete a draft plan. Review and adoption of a final RCP is planned for Fiscal Year 05-06. The CEHD recommended that the RC approve the proposed concepts and approaches for the RCP.

It was MOVED (Dixon), SECONDED (Bone) and UNANIMOUSLY APPROVED.

### **5.5 Communication Task Force Report**

Councilmember Proo, Chair, announced that plans for observing SCAG's 40<sup>th</sup> anniversary are underway. SCAG will celebrate this milestone as part of the May 2005 General Assembly.

The 8<sup>th</sup> Annual Regional Economic Forecast Conference will be held at the Walt Disney Concert Hall on Thursday, November 18<sup>th</sup> from 7:45 am to 2:00 pm. The keynote speaker is Sunne Wright McPeak, Secretary of California's Business, Transportation and Housing Agency.

There is no charge for RC members who register in advance. Members could also register on-line or fill out registration form after the meeting..

## **6.0 INFORMATION ITEMS**

### **6.1 Monthly Financial Report**

Heather Copp, CFO, announced that most invoices are being paid without use of the line of credit. KMPG has completed its audit. Results will be presented to the Audit Committee and later to the RC.

### **6.2 Update on discussion between SCAG and Tribal Governments**

Karen Tachiki, Chief Counsel, presented an update to the RC on the discussions regarding tribal governments participation in SCAG and possible next steps.

SCAG has been working to enhance the role of Tribal Governments in the regional transportation planning process. In the past year, SCAG organized four Summits to facilitate discussion on how SCAG and the Tribal Governments will participate and communicate together in the region.

At the June 30, 2004 Summit SCAG received a request to provide draft language for a conceptual approach. Draft language was discussed at the Executive Committee meeting in September and then presented at the September 9, 2004 Summit. In the presentation at the Summit it was made clear that approval of the Regional Council and General Assembly would be required.

Tribal representatives at the September 9<sup>th</sup> Summit indicated that the Indian Tribes would meet amongst themselves to respond to the language presented by SCAG. It was also reported that the Administration Committee at its morning meeting requested that a report be given at the next meeting, which would include information regarding the manner in which each Tribal nation elects its governing council, population and geographical location of each reservation and the number of reservations within the SCAG Region. Additionally, the General Counsel was asked to research legal issues associated with the state economic disclosure laws.

The Administration Committee also requested that Joe Myers, the SCAG consultant provide an oral report to the committee. Mr. Myers will also be available to report to the Regional Council at its next meeting.

## **7.0 FUTURE AGENDA ITEMS**

No future items presented at this time.

## **8.0 LEGAL COUNSEL REPORT**

### **8.1 Closed Session**

There was no closed session held. However in open session, the General Counsel reported on the progress made in finalizing the settlement of SCAG v.HCD & BT&H

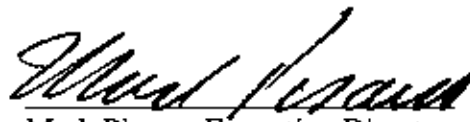
- SCAG v. HCD & BT&H  
Conference with Legal Counsel - existing litigation to be heard in closed session in pursuant to California Government Code Section §54956.9(a)  
Discussion re: appeal
- HDR Appeal  
  
Conference with Legal Counsel – anticipated litigation  
Significant exposure to litigation pursuant to California Government Code Subdivision C §54956.9  
(one potential case)
- Morrison v. SCAG  
Conference with Legal Counsel Government Code section 54956.9(a) Morrison v. Southern California Association of Governments et al. Superior Court, Los Angeles County, Case No. BC 312066

## **9.0 ANNOUNCEMENTS**

Heather Copp, CFO announced that there would be a budget workshop for RC & Policy Committee members immediately following the Administration Committee meeting in November.

## **10.0 ADJOURNMENT**

The Regional Council adjourned in memory of John Melton, Councilmember, City of San Paula, Past SCAG President as well as NARC. The next is scheduled for November 4, 2004 at SCAG Offices downtown Los Angeles.

  
Mark Pisano, Executive Director

# REPORT

**TO:** Administration Committee  
Regional Council

**FROM:** Heather Copp, CFO (213) 236-1804  
Email: [copp@scag.ca.gov](mailto:copp@scag.ca.gov)

**SUBJECT:** Approval of Contracts Over \$25,000

**DATE:** October 11, 2004

EXECUTIVE DIRECTOR'S APPROVAL

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**RECOMMENDED ACTION:** Approve Contracts

## SUMMARY:

- The following consultant contract is recommended for approval:

IBI Group	NTE \$27,438.13
Solimar Research Group	NTE \$106,507.00

## FISCAL IMPACT:

The Work Element is listed on the detail page for each contract. Included is the Work Element and category of funding, for example FIIWA, FTA, indirect.

- \* If a member believes or has a reason to believe that he or she has a financial interest in any of the firms listed on this Report, the member should consult with SCAG legal counsel.

RC/ADMIN Agenda 11/4/2004  
PC DOC#104219

## CONSULTANT CONTRACT

**Consultant:** IBI Group

**Scope:** The Consultant will develop a Growth Visioning implementation program and multi-jurisdictional communication effort for the Arroyo Verdugo COG and coordinate this initiative with SCAG's regional Compass Growth Visioning effort. A Growth Visioning Implementation and Monitoring report, with short and long-term strategies, and benchmark measures for tracking progress will be produced. This report will be utilized by SCAG in developing a regional growth vision for Southern California.

**Contract Amount:** Total not to exceed \$27,438.13  
IBI Group \$27,438.13

**Contract Period:** December 1, 2004 through June 30, 2005

**Work Element:** 05-010.AVGC2 \$27,438.13 Funding Sources: Consolidated Planning Grant -- FTA

**Request for Proposal:** SCAG staff mailed postcards to 120 pre-qualified firms on SCAG's bidders list to notify them of the release of RFP No. 05-035. The RFP was also posted on SCAG's website. The following four proposals were received in response to the solicitation:

Cyn R. Watson and Affiliates (1 subconsultant)	\$27,420.00
DB Consulting (no subconsultants)	\$27,370.00
IBI Group (no subconsultants)	\$27,438.13
Pacific Municipal Consultants (no subconsultants)	\$27,500.00

**Selection Process:** The Proposal Review Committee (PRC) evaluated all four proposals in accordance with the criteria set forth in the RFP, and the selection process was conducted in a manner consistent with all applicable Federal and State contracting regulations. Interviews were held with all four offerors.

The PRC was comprised of the following individuals:

Jacob Lieb, Lead Regional Planner, SCAG  
Jeff Hamilton, City Planner, City of Glendale  
David Sosa, Chief, Regional Planning Branch, Caltrans  
Fred Buss, City Planner, LaCanada Flintridge  
Elaine Aguilar, Subregional Coordinator, Arroyo Verdugo COG



**Basis for Selection:**

IBI Group was selected based on their expertise and skills in creating implementation programs for long range, comprehensive-planning projects. IBI Group offered the most thorough and well thought-out description of the intended work program and offered innovative approaches to vision implementation in their proposal. For example, the proposal included the development of complex decision matrixes for consideration in the implementation process. IBI Group provides greater institutional resources and support to this scope. The firm has had success in working with various SCAG sub-regions on related issues.

## CONSULTANT CONTRACT

**Consultant:** Solimar Research Group

**Scope:** The primary goal of this project is to develop strategies for promoting housing construction in South Bay Cities, particularly in compact, mixed-use, and transit and pedestrian oriented developments. This study will focus on the South Bay's urban form and examine how existing centers and corridors can absorb more housing in the form of mixed-use development projects. The findings will be used by SCAG in developing a Compass growth visioning implementation plan for Southern California.

<b>Contract Amount:</b>	<b>Total not to exceed</b>	<b>\$106,507</b>
	Solimar Research Group	\$ 76,207
	Civic Technologies (subcontractor)	\$ 30,300

**Contract Period:** December 1, 2004 through June 30, 2005

<b>Work Element:</b>	05-050.SBCC1	\$85,447	Funding Sources: Consolidated Planning Grant - FTA
	05-XXX	\$21,060	Funding Source: Consolidated Planning Grant - subject to approval of SCAG's FY 04-05 budget amendment

**Request for Proposal:** SCAG staff mailed postcards to 42 pre-qualified firms on SCAG's bidders list to notify them of the release of RFP 05-040. The RFP was also posted on SCAG's web site. The following seven proposals were received in response to the solicitation:

	Basic Tasks	Optional Task	Total
IBI Group (1 subcontractor)	\$106,683	Included	\$106,683
ICF Consulting (2 subcontractors)	\$ 88,557	\$22,054	\$110,611
Marylander Marketing Research, Inc. (1 subcontractor)	\$ 86,074	No Bid	\$ 86,074
Nelson Nygaard Consulting Associates (2 subcontractors)	\$ 75,483	\$18,916	\$ 94,399
RBF Consulting's Urban Design Studio (no subcontractors)	\$ 87,805	No Bid	\$ 87,805
Solimar Research Group (6 subcontractors)	\$ 85,447	\$21,060	\$106,507
USC Center for Economic Development (1 subcontractor)	\$ 88,526	\$22,132	\$110,658

**Selection Process:** The Proposal Review Committee (PRC) evaluated all seven proposals in accordance with the criteria set forth in the RFP, and the selection process was conducted in a manner consistent with all applicable Federal and State contracting regulations.

Interviews were held with the four highest-ranking offerors: ICF Consulting, Marylander Marketing Research, Nelson Nygaard and Solimar Research Group. Three following respondents were not interviewed: IBI Group, RBF Consulting and USC Center for Economic Development.

The PRC was comprised of the following individuals:

Jacki Bacharach, Executive Director, SBCCOG  
Kim Fuentes, Deputy Director, SBCCOG  
Walter Siembab, Consultant, SBCCOG  
Kathleen McCune, Transportation Planning Manager, MTA  
Niki Cutler, Senior Planner, City of Rolling Hills Estates  
Joseph Carreras, Lead Planner, SCAG

A Caltrans representative was invited to participate in the proposal evaluation process, but declined.

**Basis for Selection:**

The PRC recommends Solimar Research Group for the contract award because of the firm's innovative approach to database development, GIS application skills, expertise in survey development, impressive responses to the questions posed during the interview, and excellent past performance record. In addition, the PRC was very pleased with Solimar's reputation for completing its projects on time. Solimar received the highest interview and proposal evaluation score of all the firms. Although Solimar Research Group did not have the least expensive proposal, the PRC felt that the superior quality of the proposal and exceptionally qualified team well outweighed the slight cost differential between its proposal and competing submissions. Solimar Research Group's proposal offered the most thorough and well thought-out description of the intended work program and offered innovative and transferable approaches to growth vision implementation and mixed-use center evaluation that will benefit the various Subregions.

# REPORT

DATE: November 4, 2004

TO: Regional Council, Administration Committee

FROM: Barbara Dove, Government Affairs Analyst  
(213) 236-1861, [dove@scag.ca.gov](mailto:dove@scag.ca.gov)

SUBJECT: **Proposed Date, Location, and Budget for  
the 2005 Regional Council Retreat**

EXECUTIVE DIRECTOR'S APPROVAL:

  
\_\_\_\_\_

**RECOMMENDED ACTION:**

Approve the proposed date, location and estimated budget for the 2005 Regional Council Retreat.

**BACKGROUND:**


The annual Regional Council Retreat provides an opportunity for RC members to meet and consider any internal issues they deem appropriate, to review the past year's efforts, and to explore the program focus for the coming year. The retreat schedule also incorporates the regular monthly meetings of the policy committees and Regional Council.

Date: Wednesday and Thursday,  
June 1 - 2, 2005

Location: A yet-to-be-named-venue in Ventura County

Budget: Estimated cost not to exceed \$15,000

**BUDGET IMPACT:**

The amount of \$15,000 was allocated in the FY 2004 - 2005 General Fund Budget to support this activity. 

B Dove 10/21/04  
2005 RC Retreat Budget Request to RC  
Doc # 103881



# REPORT

**DATE:** November 4, 2004

**TO:** Administrative Committee Members  
Regional Council Members

**FROM:** Nancy Pfeffer, Sr. Regional Planner, 213-236-1869, [pfeffer@scag.ca.gov](mailto:pfeffer@scag.ca.gov)

**SUBJECT:** Approve Letter of Support for Caltrans Application

**EXECUTIVE DIRECTOR'S APPROVAL:**

**RECOMMENDED ACTION:**

Approve SCAG letter of support for County Transportation Commissions' application for State Planning & Research funding under Environmental Justice: Context-Sensitive Planning for FY 04-05.

**BACKGROUND:**

Recognizing the goods movement challenges facing the region, the five County Transportation Commissions in the SCAG region (Los Angeles, Orange, Riverside, San Bernardino, and Ventura), SCAG, and the four Caltrans districts (7, 8, 11, and 12) are collaborating on a 2-year project to develop a consensus strategy and implementation plan for the Southern California goods movement system. The mission of this Multi-County Goods Movement Action Plan is to partner with the private sector in the development of a strategy and implementation plan for an improved regional goods movement system.

The agencies are committing approximately \$1 million in pooled funds to this Action Plan. To supplement this funding and to address the integrally related issue of environmental justice, the CTCs are applying to Caltrans for State Planning & Research funding in the amount of \$250,000 for the current fiscal year. The attached letter expresses SCAG's support of this grant application and our willingness to continue to work with the counties on this critical effort.

**FISCAL IMPACT:**

Approving this letter of support will have no fiscal impact on SCAG.

November 4, 2004

Mr. Fernando Castro  
Caltrans District 7  
120 S. Spring Street  
Los Angeles, CA 90012-3606

Subject: Letter of Support for Environmental Justice Grant Application

Dear Mr. Castro:

The Southern California Association of Governments is pleased to be partnering with the five County Transportation Commissions in the SCAG region (Los Angeles, Orange, Riverside, San Bernardino, and Ventura) and the four Caltrans districts (7, 8, 11, and 12) on the Multi-County Goods Movement Action Plan. The goal of this plan is to develop a consensus strategy and implementation plan for the Southern California goods movement system.

As you are aware, goods movement impacts can be particularly acute in some minority and low-income areas. The project partners are applying for Caltrans' environmental justice grant funding in order to ensure that the development of a regional consensus on goods movement takes into account the concerns of these locally impacted communities.

The public participation envisioned for the Multi-County Action Plan will be greatly strengthened with resources that will allow the transportation agencies to engage in a dialogue with specific affected communities. SCAG is therefore pleased to express its support for the grant application.

If you have any questions, please contact Nancy Pfeffer at 213-236-1869.

Sincerely,

RON ROBERTS  
President, SCAG  
Councilmember, City of Temecula

#104436 v1 - MCGM EJ Support Ltr  
Pfeffer

# MEMO

**DATE:** October 11, 2004

**TO:** Administration Committee  
Regional Council

**FROM:** Heather Copp, CFO (213) 236-1804  
Email: copp@scag.ca.gov

**SUBJECT:** Contracts and Purchase Orders Between \$5,000 - \$25,000

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**RECOMMENDED ACTION:** Information Only

**SUMMARY:**

**SCAG executed the following Purchase Orders between \$5,000 and \$25,000**

- California State University, Fullerton \$ 7,500.00  
Economic Data and Forecasting Services  
Funding Source: Registration Fees and Sponsorships
- California State University, Long Beach \$ 7,500.00  
Economic Data and Forecasting Services  
Funding Source: Registration Fees and Sponsorships
- Crush Creative \$12,178.13  
Fabric Boards for the Office Enhancement Project  
Funding Source: Indirect Overhead
- Executive Office Concepts \$13,498.00  
Training Tables, Cabinet, and Lecturn for L.A. and Riverside Offices  
Funding Source: Indirect Overhead
- PhotoCenter Imaging \$10,179.83  
Digital Wallpaper and Installation for the Office Enhancement Project  
Funding Source: Indirect Overhead
- PhotoCenter Imaging \$11,063.70  
Hallway Photos and Installation for the Office Enhancement Project  
Funding Source: Indirect Overhead
- Quality Laser Cartridge \$ 8,000.00  
Toner Cartridges and Printer Repair  
Funding Source: Indirect Overhead

# MEMO

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- Sapphire Technologies \$24,000.00  
Temporary Employee for SAP Consulting  
Funding Source: Indirect Overhead
- Sign Zone \$13,448.73  
Office Signage and Lettering for the Office Enhancement Project  
Funding Source: Indirect Overhead





# MEMO

**DATE:** November 4, 2004

**TO:** The Regional Council  
The Community, Economic and Human Development Committee (CEHD)  
The Energy and Environment Committee (EEC)  
The Transportation and Communications Committee (TCC)

**FROM:** Charlotte Pienkos, Government Affairs Analyst  
Phone: (213) 236-1811 E-Mail: eckelbec@scag.ca.gov

**SUBJECT:** SCAG Legislative Matrix

Attached to this memorandum is a full list of state bills and constitutional amendments followed by Government Affairs in the 2004 Legislative Session and relevant to Regional Council, CEHD, EEC, or TCC subject matter jurisdiction. Over the course of the session, many bills followed by Government Affairs did not meet constitutional deadlines and failed to advance. Several more did advance and were later enacted. All are included in the matrix for your reference.

Government Affairs staff will be presenting an end-of-session wrap-up in each committee to focus on bills that have been of greatest interest to each committee, including federal legislation. The following chart offers a quick glance at the outcome of bills and constitutional amendments on which SCAG took positions in the 2004 session.

Number and Author	Subject	SCAG Position	Final Outcome
AB 1971 (Lowenthal)	Idling and Queuing at the Ports of LA, LB	Support	Signed by Governor
AB 2158 (Lowenthal)	RHNA Reform	Support	Signed by Governor
AB 2348 (Mullin)	RHNA Reform	Support	Signed by Governor
AB 2006 (Nunez)	Electrical Restructuring	Support	Vetoed by Governor
AB 2141 (Longville)	Alluvial Fan Task Force	Support	Signed by Governor
AB 2207 (Levine)	Statistical Districts SFV	Support	Signed by Governor
AB 2628 (Pavley)	Hybrid Vehicles and HOV Lanes	Oppose	Signed by Governor
AB 2702 (Steinberg)	Second Housing Units	Oppose	Vetoed by Governor
ACA 24 (Dutra)	Prop 42 Protection	Support	Did Not Advance
ACA 29 (Harman)	Prop 42 Firewall	Support	Did Not Advance
SB 744 (Dunn)	Housing Appeals to IICD	Oppose	Did Not Advance



Only two measures on which SCAG took positions carried over from the 2003 legislative session to this year. SCA 2 (Torlakson) and SCA 7 (Murray) pertained to the local sales tax voter approval threshold and Proposition 42 fund loans respectively. SCAG supported SCA 2 if amended and supported SCA 7. Neither constitutional amendment advanced in 2004.

**Private file: AirQuality**

CA AB 1394	<p><b>AUTHOR:</b> Levine (D)</p> <p><b>TITLE:</b> Air Pollution: Air Quality Standards Program</p> <p><b>FISCAL COMMITTEE:</b> yes</p> <p><b>URGENCY CLAUSE:</b> no</p> <p><b>INTRODUCED:</b> 02/21/2003</p> <p><b>ENACTED:</b> 09/21/2004</p> <p><b>LOCATION:</b> Chaptered</p> <p><b>CHAPTER:</b> 627</p> <p><b>SUMMARY:</b> Expands the Carl Moyer Air Quality Standards Attainment Program to include heavy-duty fleet modernization projects that reduce emissions of NOx or particulate matter. Makes any project that replaces an old engine or vehicle with a new engine or vehicle that meets more stringent emission standards or provides the equivalent emission reductions of the replacement combined with the purchase of a specified new very-low or zero-emission vehicle, or fleet modernization project eligible for funding.</p> <p><b>STATUS:</b> 09/21/2004 Signed by GOVERNOR. 09/21/2004 Chaptered by Secretary of State. Chapter No. 627 <b>Subject:</b> AirQuality</p>
CA AB 1971	<p><b>AUTHOR:</b> Lowenthal (D)</p> <p><b>TITLE:</b> Air Pollution: Marine Terminals</p> <p><b>FISCAL COMMITTEE:</b> no</p> <p><b>URGENCY CLAUSE:</b> no</p> <p><b>INTRODUCED:</b> 02/12/2004</p> <p><b>ENACTED:</b> 09/18/2004</p> <p><b>LOCATION:</b> Chaptered</p> <p><b>CHAPTER:</b> 580</p> <p><b>SUMMARY:</b> Relates to requirements that each marine terminal in the state operate in a manner that does not cause the engines on trucks to idle or queue for more than 30 minutes while waiting to load or unload at the terminal. Makes several clarifying changes to those provisions regarding the application of the above requirements with respect to both idling and queuing. Requires air control districts to make a determination with regard to queuing trucks.</p> <p><b>STATUS:</b> 09/18/2004 Signed by GOVERNOR. 09/18/2004 Chaptered by Secretary of State. Chapter No. 580 <b>NOTES:</b> Lowenthal Staff: Josh Tooker (916) 319-2054 <b>COMMENTARY:</b> In 2003, SCAG supported the original Lowenthal bill that created the idling and queuing prohibition, AB 2650. <b>Position:</b> SCAG-Sup 04/07/2004</p>
CA AB 2042	<p><b>AUTHOR:</b> Lowenthal (D)</p> <p><b>TITLE:</b> Ports: Port of Los Angeles: Port of Long Beach</p> <p><b>FISCAL COMMITTEE:</b> yes</p> <p><b>URGENCY CLAUSE:</b> no</p> <p><b>INTRODUCED:</b> 02/17/2004</p> <p><b>VETOED:</b> 09/29/2004</p> <p><b>LOCATION:</b> Vetoed</p> <p><b>SUMMARY:</b> Requires the South Coast Air Quality District to establish a baseline for air quality for the Ports of Los Angeles and Long Beach. Provides the baselines would be based on data regarding emissions from oceangoing vessels, harbor craft, cargo handling equipment, rail locomotives and commercial motor vehicles. Requires the district, the two ports and the Air Resources Board to develop and enter into a memorandum of understanding to implement emission control measures at those ports.</p> <p><b>STATUS:</b> 09/29/2004 Vetoed by GOVERNOR. <b>NOTES:</b> Lowenthal Staff: Josh Tooker (916) 319-2054 <b>COMMENTARY:</b> Considered by the EEC 5/6/04 and 6/3/04. Amendment submitted to Assembly Member Lowenthal adding SCAG to the groups consulted in the MOA and including user-supported,</p>

dedicated infrastructure among possible emission control measures.

CA AB 2628	<b>AUTHOR:</b> Pavley (D) <b>TITLE:</b> Vehicles: Preferential Lanes <b>FISCAL COMMITTEE:</b> no <b>URGENCY CLAUSE:</b> no <b>INTRODUCED:</b> 02/20/2004 <b>ENACTED:</b> 09/23/2004 <b>LOCATION:</b> Chaptered <b>CHAPTER:</b> 725 <b>SUMMARY:</b>
	<p>Includes a 2004 model year ultra-low emission vehicle and a hybrid vehicle that meets the State's advanced technology partial zero-emission vehicle standard for criteria pollutant emissions and has a 45 miles per gallon or greater fuel economy highway rating and a hybrid vehicle that was produced during the 2004 model year or earlier and has a 45 miles per gallon or greater fuel highway rating and ultra- and super ultra-low emission vehicles to list of vehicle using HOV lanes.</p>
	<b>STATUS:</b> 09/23/2004 Signed by GOVERNOR. 09/23/2004 Chaptered by Secretary of State. Chapter No. 725 <b>Position:</b> CALCOG-Opp, SCAG-Opp 06/03/2004
CA SB 1247	<b>AUTHOR:</b> Soto (D) <b>TITLE:</b> Air Pollution: Large Emission Reduction Program <b>FISCAL COMMITTEE:</b> yes <b>URGENCY CLAUSE:</b> yes <b>INTRODUCED:</b> 02/12/2004 <b>LAST AMEND:</b> 06/01/2004 <b>LOCATION:</b> Senate Transportation Committee <b>SUMMARY:</b>
	<p>Creates the Large Emission Reduction Program to reduce air emissions from internal combustion engines through the application of financial incentive-based programs. Creates a trust fund to provide grants to offset the incremental cost of projects that reduce oxides of nitrogen, reactive organic gases or particulate matter from on road vehicles, off-road equipment ad vehicles, locomotives, diesel marine vehicles, stationary agricultural vehicles.</p>
	<b>STATUS:</b> 06/01/2004 From SENATE Committee on TRANSPORTATION with author's amendments. 06/01/2004 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION.
CA SB 1397	<b>AUTHOR:</b> Escutia (D) <b>TITLE:</b> Air Pollution: South Coast Air Quality Management <b>FISCAL COMMITTEE:</b> yes <b>URGENCY CLAUSE:</b> no <b>INTRODUCED:</b> 02/18/2004 <b>LAST AMEND:</b> 08/23/2004 <b>LOCATION:</b> ASSEMBLY <b>SUMMARY:</b>
	<p>Authorizes the South Coast Air Quality Management District to adopt regulations requiring the owner or lessee of a heavy-duty motor vehicle, or non-road engine or vehicle, other than a new locomotive, to install retrofit controls to reduce air emissions if that vehicle or engine operates substantially in a rail yard and is part of a fleet of 15 or more vehicles or engines. Requires the district to establish fair share emission reduction targets and conduct public workshops. Authorizes fees.</p>
	<b>STATUS:</b> 08/27/2004 In ASSEMBLY. Reconsideration granted. 08/27/2004 In ASSEMBLY. Read third time. Failed to pass ASSEMBLY. <b>NOTES:</b> Escutia Staff: William Sanchez (916) 445-3090 <b>COMMENTARY:</b>
	<p>SB 1397 relates to air pollution and goods movement in the SCAB and SCAG regions. SCAG has statutory obligations in area of air quality in the AQMP. SB 1397 is similar to AB 1058 (Pavley), which died on concurrence in 2002 and would have taken similar steps in mobile source emissions from automobiles. SCAG did not take a position on AB 1058. Related SCAG policy can be found in the 2004 Legislative Program and in the 2004 RTP EIR/EIS.</p>

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**Private file: EconomicDevelopment**


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CA AB 1855      **AUTHOR:**                      Maze (R)  
**TITLE:**                              Infrastructure and Economic Development Bank  
**FISCAL COMMITTEE:**              yes  
**URGENCY CLAUSE:**                no  
**INTRODUCED:**                    01/29/2004  
**ENACTED:**                        07/23/2004  
**LOCATION:**                        Chaptered  
**CHAPTER:**                        189  
**SUMMARY:**  
 Relates to the Bergeson-Peace Infrastructure and Economic Development Bank Act that requires the California Infrastructure and Economic Development Bank to establish criteria, priorities and guidelines for the selection of projects to receive assistance from the bank. Requires the bank to notify the Governor and the legislative fiscal and policy committees when it establishes or makes changes to the criteria, priorities and guidelines.  
**STATUS:**  
 07/23/2004                      Signed by GOVERNOR.  
 07/23/2004                      Chaptered by Secretary of State. Chapter No. 189

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CA AB 1998      **AUTHOR:**                      Dutton (R)  
**TITLE:**                              Real Investment in California's Economy Program  
**FISCAL COMMITTEE:**              yes  
**URGENCY CLAUSE:**                no  
**INTRODUCED:**                    02/13/2004  
**LOCATION:**                        Assembly Revenue and Taxation Committee  
**SUMMARY:**  
 Provides an exemption from sales and use taxes for the gross receipts from the sale, storage, use, or other consumption of, tangible personal property purchased by a qualified person primarily in any state of manufacturing, including the generation of electricity, processing, refining, fabricating, or recycling of property, and introduced into the process.  
**STATUS:**  
 05/10/2004                      In ASSEMBLY Committee on REVENUE AND TAXATION: Heard, remains in Committee.

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**Private file: Energy**


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CA AB 2006      **AUTHOR:**                      Nunez (D)  
**TITLE:**                              Electrical Restructuring: Public Utilities Commission  
**FISCAL COMMITTEE:**              no  
**URGENCY CLAUSE:**                no  
**INTRODUCED:**                    02/13/2004  
**VETOED:**                        09/24/2004  
**LOCATION:**                        Vetoed  
**SUMMARY:**  
 Requires the Public Utilities Commission to hold a hearing to review any settlement agreement that has a certain ratepayer obligation requirement. Requires electrical corporations to file a long-term integrated resource plan. Requires the commission to submit a plan to streamline the transmission siting process. Requires the Independent System Operator to establish resource adequacy requirements to ensure generating capacity to serve load requirements and to meet peak demands.  
**STATUS:**  
 09/24/2004                      Vetoed by GOVERNOR.  
**Position:**                        SCAG-Sup 09/02/2004

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CA AB 2076      **AUTHOR:**                      Dutton (R)  
**TITLE:**                              Personal Income and Corporation Taxes: Credits  
**FISCAL COMMITTEE:**              yes  
**URGENCY CLAUSE:**                no  
**INTRODUCED:**                    02/17/2004  
**LAST AMEND:**                    03/22/2004  
**LOCATION:**                        Assembly Revenue and Taxation Committee  
**SUMMARY:**  
 Provides an exemption from the sales and use taxes for tangible personal property used in

manufacturing including the generation of electricity, processing, fabricating or recycling of property. Allows a credit against taxes imposed by the personal income tax law and the corporation tax law, in an amount equal to 6% of the amount paid or incurred by the taxpayer during the taxable year for qualified property, used in the generation of electric power.

**STATUS:**

05/10/2004

In ASSEMBLY Committee on REVENUE AND TAXATION: Heard, remains In Committee.

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**Private file: Environment**

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CA AB 2055

**AUTHOR:** Wolk (D)  
**TITLE:** General Plan Elements  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/17/2004  
**VETOED:** 09/29/2004  
**LOCATION:** Vetoed  
**SUMMARY:**

Provides the conservation element may include the conservation of agricultural lands. Provides the open space element, which would be renamed as a agricultural and open space element, is the component of a county or city general plan adopted by the legislative body. Provides subjects that may be included in the agricultural and open-space element.

**STATUS:**

09/29/2004

Vetoed by GOVERNOR.

CA AB 2251

**AUTHOR:** Lowenthal (D)  
**TITLE:** Hazardous Waste Facilities Permits; Financial Assurance  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/19/2004  
**ENACTED:** 09/24/2004  
**LOCATION:** Chaptered  
**CHAPTER:** 779  
**SUMMARY:**

Requires a hazardous waste facility owner or operator intending to extend the term of the facility's permit to submit a complete application before the permit expires. Authorizes the owner or operator to to change the facility structures or equipment using a Class 1\* permit if it is determined that the change is necessary to comply with state and federal laws or air quality standards. Requires a facility financial assurance be a trust fund, surety bond or other authorized assurance.

**STATUS:**

09/25/2004

Chaptered by Secretary of State. Chapter No. 779

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**Private file: Housing**

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CA AB 2158

**AUTHOR:** Lowenthal (D)  
**TITLE:** Housing Elements: Regional Housing Need  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/18/2004  
**ENACTED:** 09/22/2004  
**LOCATION:** Chaptered  
**CHAPTER:** 696  
**SUMMARY:**

Relates to city, county or city and county general plan housing element. Revises the procedures for determining shares of the existing and projected regional housing need for cities, counties and subregions at all income levels.

**STATUS:**

09/22/2004

Signed by GOVERNOR.

09/22/2004

Chaptered by Secretary of State. Chapter No. 696

**COMMENTARY:**

SCAG staff participates on the Lowenthal Working Group that crafted this bill.

**Position:**

CSAC-Sup, SCAG-Sup 06/03/2004

CA AB 2175

**AUTHOR:** Canciamilla (D) 000024

**TITLE:** Conversion of Rental Housing  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/18/2004  
**LAST AMEND:** 04/19/2004  
**LOCATION:** ASSEMBLY  
**SUMMARY:**

Relates to the Subdivision Map Act. Provides a local ordinance, regulation or administrative action may not prohibit an owner of residential property from subdividing the property into a common interest development. Authorizes a city, county or city and county to enact an ordinance, regulation or administrative action governing the conversion of residential rental property if the local agency does not impose specified requirements.

**STATUS:**

08/04/2004 From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT without further action pursuant to JR 62(a).

CA AB 2247

**AUTHOR:** Salinas (D)  
**TITLE:** Local Planning  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/19/2004  
**LAST AMEND:** 04/29/2004  
**LOCATION:** Assembly Local Government Committee  
**SUMMARY:**

Provides that a city may use an optional process to apply for and obtain all necessary approvals from a local agency formation commission for annexations for a period not to exceed 15 years if the city complies with certain conditions.

**STATUS:**

04/29/2004 To ASSEMBLY Committee on LOCAL GOVERNMENT.  
 04/29/2004 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.  
 04/29/2004 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

CA AB 2264

**AUTHOR:** Chavez (D)  
**TITLE:** General Plan: Housing Element  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/19/2004  
**LAST AMEND:** 04/12/2004  
**LOCATION:** Assembly Housing and Community Development Committee  
**SUMMARY:**

Relates to general plan housing elements. Requires an analysis of an available governmental subsidy program relative to preservation of affordable housing, and a program to implement the policies in the housing element to also identify available private funds. Provides a city located in Los Angeles County may elect to commit 50% of the tax increment funds to the county and the county may pledge moneys for bonds for low and moderate income housing.

**STATUS:**

04/12/2004 Withdrawn from ASSEMBLY Committee on LOCAL GOVERNMENT.  
 04/12/2004 Re-referred to ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT.  
 04/12/2004 From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT with author's amendments.  
 04/12/2004 In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.

CA AB 2348

**AUTHOR:** Mullin (D)  
**TITLE:** Housing Element: Regional Housing Need  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/19/2004  
**ENACTED:** 09/23/2004  
**LOCATION:** Chaptered  
**CHAPTER:** 724  
**SUMMARY:**

000025

Revises the criteria for the inventory of sites to require sites to be identified that can be developed for housing within the planning board to accommodate that portion of a city's or county's share of regional housing need for all income levels. Expands the relocation assistance available to persons displaced by sites identified for substantial rehabilitation. Revises the requirements that may be imposed on a development project that contributes to the housing need.

**STATUS:**

09/23/2004

Signed by GOVERNOR.

09/23/2004

Chapered by Secretary of State. Chapter No. 724

**COMMENTARY:**

SCAG Staff participates in the Lowenthal Working Group that drafted AB 2348.

**Position:**

CSAC-Pending, SCAG-Sup 06/03/2004

CA AB 2702

**AUTHOR:**

Steinberg (D)

**TITLE:**

Housing: Second Units

**FISCAL COMMITTEE:**

no

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/20/2004

**VETOED:**

09/29/2004

**LOCATION:**

Vetoed

**SUMMARY:**

Provides that local agency ordinances, regulations or policies may not preclude or effectively preclude 2nd units unless the local agency makes certain findings. Prohibits a local agency from adopting an ordinance that requires an owner's dependent or caregiver to occupy the primary dwelling or 2nd unit or that limits occupancy based on familial status, age or other specified characteristics. Prohibits the imposition of deed restrictions or minimum unit size requirements on the 2nd unit.

**STATUS:**

09/29/2004

Vetoed by GOVERNOR.

**Position:**

CSAC-Opp, SCAG-Opp 06/03/2004

CA AB 2980

**AUTHOR:**

Salinas (D)

**TITLE:**

Housing Element: Self-Certification

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/20/2004

**LAST AMEND:**

04/19/2004

**LOCATION:**

Assembly Appropriations Committee

**SUMMARY:**

Provides procedures whereby a city or county may elect to participate in alternative production-based certification of its housing element and would make those cities and counties eligible for specified state housing funds in the same manner as other jurisdictions.

**STATUS:**

05/05/2004

In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.

**Position:**

CALCOG-Sup, CSAC-SupInConc

CA SB 744

**AUTHOR:**

Dunn (D)

**TITLE:**

Planning: Housing

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/21/2003

**LAST AMEND:**

05/25/2004

**LOCATION:**

Assembly Local Government Committee

**SUMMARY:**

Establishes within the Department of Housing and Community Development a Housing Accountability Committee consisting of 5 appointed members to hear appeals of city, county or city and county decisions on applications for the construction of housing developments that meet specified affordability requirements.

**STATUS:**

06/09/2004

In ASSEMBLY Committee on LOCAL GOVERNMENT: Not heard.

**Position:**

CSAC-Opp, League-Opp, SCAG-Opp 06/03/2004

CA SB 898

**AUTHOR:**

Burton (D)

**TITLE:**

Schoolsite Replacement Housing

**FISCAL COMMITTEE:**

no

000026



**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/21/2003  
**ENACTED:** 09/14/2004  
**LOCATION:** Chaptered  
**CHAPTER:** 495  
**SUMMARY:**

Authorizes a community college district or an eligible nonprofit corporation to acquire real property to replace dwelling units displaced by a new schoolsite under the same conditions and requirements as a local governing agency. Requires that the acquisition be from a willing seller.

**STATUS:**

09/14/2004 Signed by GOVERNOR.  
 09/14/2004 Chaptered by Secretary of State. Chapter No. 495  
**Position:** League-Opp

CA SB 1145

**AUTHOR:** Burton (D)  
**TITLE:** Tenancy  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 01/22/2004  
**ENACTED:** 09/17/2004  
**LOCATION:** Chaptered  
**CHAPTER:** 568  
**SUMMARY:**

Extends indefinitely existing law which requires that if a landlord increases the rent of a month-to-month tenancy in excess of 10% of the amount of the rent charged to a tenant annually, the landlord shall provide an additional 30-days' notice prior to the effective date of the increase. Modifies the list of statements a landlord must provide a tenant to delete a required statement regarding a claim of security.

**STATUS:**

09/17/2004 Signed by GOVERNOR.  
 09/17/2004 Chaptered by Secretary of State. Chapter No. 568

CA SB 1188

**AUTHOR:** Chesbro (D)  
**TITLE:** Farmworker Housing  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/09/2004  
**LAST AMEND:** 04/22/2004  
**LOCATION:** Senate Appropriations Committee  
**SUMMARY:**

Requires the Department of Housing and Community Development to provide local assistance to cities, counties, or cities and counties that provide land use approval to employee housing.

**STATUS:**

05/20/2004 In SENATE Committee on APPROPRIATIONS: Heard, remains in Committee.

CA SB 1263

**AUTHOR:** Torlakson (D)  
**TITLE:** Development Projects: Mandatory Approval  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/13/2004  
**LOCATION:** Senate Local Government Committee  
**SUMMARY:**

Requires a public agency to approve a development project that is consistent with certain specific plans approved on or after July 1, 2004, unless the agency finds that approval would result in a specific adverse effect upon the public health or safety that cannot feasibly be mitigated or avoided.

**STATUS:**

02/26/2004 To SENATE Committees on LOCAL GOVERNMENT and ENVIRONMENTAL QUALITY.  
**Position:** CSAC-Pending

CA SB 1592

**AUTHOR:** Torlakson (D)  
**TITLE:** Local Planning  
**FISCAL COMMITTEE:** yes

000027

**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/20/2004  
**LAST AMEND:** 06/09/2004  
**LOCATION:** Assembly Local Government Committee  
**SUMMARY:**

Requires each city and each county to adopt or amend an infill ordinance or a specific plan for infill development that identifies potential infill sites and specifies appropriate zoning to encourage infill development on vacant and underutilized parcels. Requires the infill ordinance or specific plan to provide at least 5 incentives for infill housing from a specified list of 10 incentives. Requires each city and county to comply within a certain time period.

**STATUS:**  
 06/16/2004 In ASSEMBLY Committee on LOCAL GOVERNMENT: Not heard.  
**Position:** CSAC-Pending

CA SB 1818

**AUTHOR:** Hollingsworth (R)  
**TITLE:** Density Bonuses  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/20/2004  
**ENACTED:** 09/29/2004  
**LOCATION:** Chaptered  
**CHAPTER:** 928  
**SUMMARY:**

Relates to the Planning and Zoning Law which requires, when a housing developer proposes a development, that the city or county provide the developer with a density bonus or other incentives for the production of lower income housing units if the developer meets certain requirements. Requires that the local government provide a density bonus, incentives or concessions for the production of housing or child care facilities.

**STATUS:**  
 09/30/2004 Chaptered by Secretary of State. Chapter No. 928

**Private file:** LocalFinance

CA ACA 5

**AUTHOR:** Cogdill (R)  
**TITLE:** Local Government Finance: Property Tax Revenue  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/11/2002  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Proposes a constitutional amendment to modify property tax reduction and transfer requirements, for the 2004-05 fiscal year and each fiscal year thereafter, by prohibiting the total amount allocated to a county's Educational Revenue Augmentation Fund from exceeding the applicable percentage, set forth in a specified schedule, of the total amount allocated to that fund for the 2002-03 fiscal year.

**STATUS:**  
 05/28/2003 In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.  
 05/28/2003 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.  
**Position:** CSAC-Sup, League-Sup

CA SB 1212

**AUTHOR:** Ducheny (D)  
**TITLE:** Local Government Finance  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/11/2004  
**LAST AMEND:** 06/28/2004  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Provides that beginning with the 2005-06 fiscal year, an indefinite offset of the vehicle license fee by 67.5% and eliminates reimbursement payments to counties and cities that are required under the Vehicle License Fee Law. Requires each county and city annually receive, beginning with the 2005-06 fiscal year, a defined base amount. Reduces these payments if the vehicle license fee is increased.

**STATUS:**

000028

08/12/2004

In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

**NOTES:**

Moreno Ducheny Staff: Mark Stivers (916) 445-8740

**COMMENTARY:**

The 2004 Legislative Program calls for SCAG to monitor local finance legislation via groups like the League of California Cities to preserve SCAG resources. SB 1212 attempts to minimize the fiscalization of land use, a traditional SCAG issue. SCAG opposed AB 1221 (Steinberg) in 2003 that would have effected a tax swap to stabilize the tax base.

CA SB 1312

**AUTHOR:**

Hollingsworth (R)

**TITLE:**

Historical and Cultural Resources

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/17/2004

**LOCATION:**

Senate Natural Resources and Wildlife Committee

**SUMMARY:**

Appropriates an unspecified sum to the Department of Parks and Recreation for allocation for the purpose of recovering, restoring, or rebuilding significant historical and cultural buildings, resources, or artifacts affected by the Southern California wildfires of 2003 in any of the affected Counties of Los Angeles, Riverside, San Bernardino, San Diego, or Ventura.

**STATUS:**

04/13/2004

In SENATE Committee on NATURAL RESOURCES AND WILDLIFE: Not heard.

CA SCA 9

**AUTHOR:**

Brulte (R)

**TITLE:**

Transportation

**FISCAL COMMITTEE:**

no

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/20/2003

**LAST AMEND:**

07/29/2004

**LOCATION:**

ASSEMBLY

**SUMMARY:**

Proposes an amendment to the Constitution to make nonsubstantive changes related to authorizing funds in the Public Transportation Account in the State Transportation Fund to be loaned to the General Fund under specified conditions.

**STATUS:**

08/16/2004

Withdrawn from SENATE Committee on RULES.

08/16/2004

In SENATE. Read third time. Adopted by SENATE. \*\*\*\*\*To ASSEMBLY.

**Private file: SCAG**

CA AB 1065

**AUTHOR:**

Longville (D)

**TITLE:**

Local Sales and Use Taxes: County Rate

**FISCAL COMMITTEE:**

no

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/20/2003

**LAST AMEND:**

05/12/2003

**LOCATION:**

Senate Revenue and Taxation Committee

**SUMMARY:**

Authorizes a county to impose a sales and use tax under the Bradley-Burns Uniform Local Sales and Use Tax Law at a rate of either 1.25% or 1.5%. Requires county ordinances that imposes taxes under the law to include a provision that requires a county to adhere to the voter-approval requirements of a specified provision of the California Constitution.

**STATUS:**

06/23/2004

In SENATE Committee on REVENUE AND TAXATION: Failed passage.

06/23/2004

In SENATE Committee on REVENUE AND TAXATION: Reconsideration granted.

CA AB 2207

**AUTHOR:**

Levine (D)

**TITLE:**

Statistical Districts: San Fernando Valley

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/18/2004

**ENACTED:**

07/19/2004

**LOCATION:**

Chaptered

000029

**CHAPTER:** 181**SUMMARY:**

Requires any state agency or department that develops and maintains data and statistics on the municipal level, to make a separate breakdown of the San Fernando Valley, in the preparation and maintenance of any statistical analyses by city. Authorizes state agencies to require the City of Los Angeles to provide all necessary data. Provides for an alternative method be used to determine the separate breakdown if a tax area code is used in the analysis.

**STATUS:**

07/20/2004 Chaptered by Secretary of State. Chapter No. 181

**COMMENTARY:**

The statistical data that will be provided as the result of enactment of AB 2207 will assist SCAG's planning efforts.

**Position:** SCAG-Sup 04/02/2004

CA AB 2934

**AUTHOR:** Benoit (R)**TITLE:** Public Agencies: Joint Powers Agencies**FISCAL COMMITTEE:** no**URGENCY CLAUSE:** no**INTRODUCED:** 02/20/2004**LOCATION:** ASSEMBLY**SUMMARY:**

Amends existing law authorizing two or more public agencies, if authorized by their legislative bodies, to enter an agreement to jointly exercise any power common to the two agencies.

**STATUS:**

02/20/2004 INTRODUCED.

**COMMENTARY:**

As a JPA, SCAG is already authorized by law to enter joint exercise agreement. This is a spot bill; monitoring for further developments.

**Private file: SolidWaste**

CA AB 1873

**AUTHOR:** Hancock (D)**TITLE:** Solid Waste: Recycling Market Development**FISCAL COMMITTEE:** yes**URGENCY CLAUSE:** no**INTRODUCED:** 02/03/2004**ENACTED:** 09/14/2004**LOCATION:** Chaptered**CHAPTER:** 500**SUMMARY:**

Extends the operation and repeal of the Recycling Market Development Revolving Loan Program, including the extension of the operation and repeal of the continuously appropriated subaccount thereby continuing the effect of the program indefinitely.

**STATUS:**

09/14/2004 Signed by GOVERNOR.

09/14/2004 Chaptered by Secretary of State. Chapter No. 500

**Position:** CSAC-Watch

CA SB 537

**AUTHOR:** Romero (D)**TITLE:** Solid Waste: Los Angeles County Sanitation**FISCAL COMMITTEE:** yes**URGENCY CLAUSE:** no**INTRODUCED:** 02/20/2003**LAST AMEND:** 06/09/2004**LOCATION:** Assembly Local Government Committee**SUMMARY:**

Prohibits the siting of a new materials recovery facility designed to receive greater than 4,000 tons per day within Los Angeles County prior to 2015. Requires the board of directors of each sanitation district in the county to adopt a final annual budget within prescribed categories. Requires the board to deposit at least a certain amount of money annually into the district's Air Pollution Mitigation Fund for projects upon agreement with the South Coast Air Quality Control Board.

**STATUS:**

06/23/2004

In ASSEMBLY Committee on LOCAL GOVERNMENT: Heard, remains in Committee.

000030

**Position:** CSAC-Watch, League-Opp

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**Private file: Transit**

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CA AB 1320      **AUTHOR:** Dutra (D)  
**TITLE:** Transit Village Plan: Design  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/21/2003  
**ENACTED:** 05/19/2004  
**LOCATION:** Chaptered  
**CHAPTER:** 42  
**SUMMARY:**  
 Relates to the Transit Village Development Planning Act. Requires the transit village plan to include all land within not less than 1/4 mile of the exterior boundary of the parcel on which is located a transit station that would be defined by this legislation to mean a rail station, ferry terminal, bus hub, or bus transfer station. Requires the plan to include any 5 of the specified demonstrable public benefits.  
**STATUS:**  
 05/20/2004      Chaptered by Secretary of State. Chapter No. 42  
**Subject:** HS-Rail, Housing, Transit

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CA SB 1759      **AUTHOR:** Denham (R)  
**TITLE:** Transportation: Finance  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/20/2004  
**LAST AMEND:** 04/01/2004  
**LOCATION:** Senate Transportation Committee  
**SUMMARY:**  
 Deletes the requirement that money deposited in the State Highway Account in the State Transportation Fund that is not subject to constitutional requirements to be used for any transportation purpose be transferred to the Public Transportation Account in the State Transportation Fund. Includes money derived from the sale of buildings and other real property within the description of items not subject to constitutional requirements.  
**STATUS:**  
 04/27/2004      In SENATE Committee on TRANSPORTATION: Failed passage.  
 04/27/2004      In SENATE Committee on TRANSPORTATION: Reconsideration granted.  
**Position:** CALCOG-Sup

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**Private file: Transportation**

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CA AB 204      **AUTHOR:** Nation (D)  
**TITLE:** Motor Vehicles: Environmental Impacts  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 01/28/2003  
**LAST AMEND:** 01/22/2004  
**LOCATION:** Senate Transportation Committee  
**SUMMARY:**  
 Establishes a new subaccount, the Motor Vehicle Mitigation subaccount, within the San Francisco Bay Area Conservancy Program account. Authorizes the conservancy to request the Department of Motor Vehicles to collect a fee upon the registration or renewal of a motor vehicle in certain counties. Requires the use of funds for projects and grants in those counties that prevent, reduce, remediate or mitigate the adverse impacts of motor vehicles.  
**STATUS:**  
 06/29/2004      In SENATE Committee on TRANSPORTATION: Failed passage.  
 06/29/2004      In SENATE Committee on TRANSPORTATION: Reconsideration granted.  
**Subject:** Environment, Revenue/Bond, Transport

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CA AB 775      **AUTHOR:** Parra (D)  
**TITLE:** Highways: Federal Funding of Safety Projects  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/19/2003

**LAST AMEND:** 05/24/2004  
**LOCATION:** Senate Transportation Committee  
**SUMMARY:**

Changes the repeal date after which time the federal transportation funds received by the State would be spent for highway purposes other than projects for bicycle and pedestrian safety and traffic calming measures in high-hazard areas. Extends the operation of provisions requiring the Department of Transportation to establish and administer a Safe Routes to School construction program and to use federal funds therefor.

**STATUS:**  
 05/24/2004 From SENATE Committee on TRANSPORTATION with author's amendments.  
 05/24/2004 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION.  
**Position:** CSAC-Pending

CA AB 1663

**AUTHOR:** Dutra (D)  
**TITLE:** Vehicle Additional Registration Fees  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/21/2003  
**ENACTED:** 09/14/2004  
**LOCATION:** Chaptered  
**CHAPTER:** 514  
**SUMMARY:**

Relates to the additional fees charged on all commercial motor vehicles for vehicle registration used for vehicle theft crime programs, to extend the repeal date for such fees. Requires each participating county to issue a fiscal year-end report to the Controller, summarizing certain matters. Provides if a county fails to submit the report, the authority to collect the fee would be suspended. Requires the review of such reports to determine if the fee revenues are being utilized as required.

**STATUS:**  
 09/14/2004 Signed by GOVERNOR.  
 09/14/2004 Chaptered by Secretary of State. Chapter No. 514  
**Position:** League-Sup

CA AB 2024

**AUTHOR:** Bermudez (D)  
**TITLE:** Ports: Transportation Network  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/13/2004  
**ENACTED:** 09/29/2004  
**LOCATION:** Chaptered  
**CHAPTER:** 941  
**SUMMARY:**

Requires the ports of Los Angeles and Long Beach to evaluate changes in goods movement network to gauge adherence by these ports to certain state goals relative to utilization of and congestion at ports and to collect statistics regarding compliance with federal, state and local efforts to achieve certain related objectives and to report to the Business, Transportation and Housing Agency, the Office of Goods Movement and the legislative committees on transportation.

**STATUS:**  
 09/30/2004 Chaptered by Secretary of State. Chapter No. 941  
**NOTES:** Bermudez Staff: Paul Gonsalves (916) 319-2056  
**COMMENTARY:**  
 Similar to AB 2041 (Lowenthal).

CA AB 2032

**AUTHOR:** Dutra (D)  
**TITLE:** HOT Lanes: Demonstration Projects  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/13/2004  
**ENACTED:** 09/09/2004  
**LOCATION:** Chaptered  
**CHAPTER:** 418  
**SUMMARY:**

Authorizes the San Diego Association of Governments, the Sunol Smart Carpool Lane Joint

Powers Authority, the Santa Clara Valley Transportation Authority and the Alameda County Congestion Management Agency to undertake value pricing programs involving various HOT lanes under the jurisdiction of these sponsoring agencies. Requires a portion of the funding from tolls to be used for construction of high-occupancy vehicle facilities and the improvement of transit services.

**STATUS:**

09/09/2004

Signed by GOVERNOR.

09/09/2004

Chaptered by Secretary of State. Chapter No. 418

**Position:**

CALCOG-Sup

CA AB 2041

**AUTHOR:**

Lowenthal (D)

**TITLE:**

Ports: Congestion

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/17/2004

**LAST AMEND:**

05/06/2004

**LOCATION:**

Senate Appropriations Committee

**SUMMARY:**

Establishes the Port Congestion Management District governed by a board consisting of members appointed by, and serving indefinite terms at the pleasure of, the Secretary of Business, Transportation and Housing. Requires the board to establish a charge for the privilege of transporting cargo by commercial motor vehicle into or out of the Port of Los Angeles or the Port of Long Beach. Establishes a Port Congestion Management Fund. Requires certain reports from such ports.

**STATUS:**

08/12/2004

In SENATE Committee on APPROPRIATIONS: Not heard.

**NOTES:**

Lowenthal Staff: Josh Tooker (916) 319-2054

**COMMENTARY:**

Similar to AB 2024 (Bermudez).

CA AB 2043

**AUTHOR:**

Lowenthal (D)

**TITLE:**

Maritime Port Strategic Master Plan Task Force

**FISCAL COMMITTEE:**

no

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/17/2004

**ENACTED:**

09/29/2004

**LOCATION:**

Chaptered

**CHAPTER:**

942

**SUMMARY:**

Requires the California Marine and Intermodal Transportation System Advisory Council to meet on an unspecified basis, hold public hearings, and compile data on certain issues relating to the growth and congestion of maritime ports. Requires the council to compile specified information and submit its findings to the Legislature on methods to better manage that growth and the environmental impact of moving goods through ports.

**STATUS:**

09/30/2004

Chaptered by Secretary of State. Chapter No. 942

**NOTES:**

Lowenthal Staff: Josh Tooker (916) 319-2054

CA AB 2366

**AUTHOR:**

Dutra (D)

**TITLE:**

Bay Area State-Owned Toll Bridges: Financing

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/19/2004

**LAST AMEND:**

08/26/2004

**LOCATION:**

SENATE

**SUMMARY:**

Deletes the statutory cost estimates for the various bay area bridges. Requires the Bay Area Toll Authority to provide an amount of toll revenues to the department for the award of the low bid received on May 26, 2004, for the self-anchored suspension bridge element of the new east span of the San Francisco-Oakland Bay bridge. Repeals the toll bridge surcharge provisions. Requires the Department of Transportation to transfer certain funds to the authority.

**STATUS:**

08/28/2004

Withdrawn from ASSEMBLY Committee on TRANSPORTATION.

08/28/2004

In ASSEMBLY. Ordered returned to SENATE, \*\*\*\*\*To SENATE. In SENATE. Held at Desk.

000033

CA AB 2372	<b>AUTHOR:</b> Correa (D) <b>TITLE:</b> State Transportation Improvement Program <b>FISCAL COMMITTEE:</b> no <b>URGENCY CLAUSE:</b> no <b>INTRODUCED:</b> 02/19/2004 <b>LAST AMEND:</b> 04/20/2004 <b>LOCATION:</b> Assembly Transportation Committee <b>SUMMARY:</b> Relates to the State Transportation Improvement Program. Requires a regional agency requesting a reserve of funds in a future county share period to identify the year in which a transportation capital improvement project will be programmed. <b>STATUS:</b> 04/26/2004 In ASSEMBLY Committee on TRANSPORTATION: Not heard. <b>NOTES:</b> Correa Staff: John Scribner (916) 319-2069 <b>COMMENTARY:</b> Sponsored by OCTA; opposed by VCTC.
CA AB 2456	<b>AUTHOR:</b> Spitzer (R) <b>TITLE:</b> Regional Transportation Improvement Programs <b>FISCAL COMMITTEE:</b> yes <b>URGENCY CLAUSE:</b> no <b>INTRODUCED:</b> 02/19/2004 <b>LAST AMEND:</b> 05/04/2004 <b>LOCATION:</b> Assembly Appropriations Committee <b>SUMMARY:</b> Authorizes a transportation planning agency or county transportation commission to request and receive an portion of it s regional improvement fund expenditures for the purpose of project planning, programming and monitoring, such entities not receiving federal metropolitan planning funds may request and receive a larger portion for those expenditures. Provides the amount of funds that may be requested and received for project development and delivery. <b>STATUS:</b> 05/19/2004 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee. <b>NOTES:</b> Spitzer Staff: Dane Wadle (pron. Wadley) (916) 319-2071 <b>COMMENTARY:</b> Sponsored by OCTA; spot bill.
CA AB 2628	<b>AUTHOR:</b> Pavley (D) <b>TITLE:</b> Vehicles: Preferential Lanes <b>FISCAL COMMITTEE:</b> no <b>URGENCY CLAUSE:</b> no <b>INTRODUCED:</b> 02/20/2004 <b>ENACTED:</b> 09/23/2004 <b>LOCATION:</b> Chaptered <b>CHAPTER:</b> 725 <b>SUMMARY:</b> Includes a 2004 model year ultra-low emission vehicle and a hybrid vehicle that meets the State's advanced technology partial zero-emission vehicle standard for criteria pollutant emissions and has a 45 miles per gallon or greater fuel economy highway rating and a hybrid vehicle that was produced during the 2004 model year or earlier and has a 45 miles per gallon or greater fuel highway rating and ultra- and super ultra-low emission vehicles to list of vehicle using HOV lanes. <b>STATUS:</b> 09/23/2004 Signed by GOVERNOR. 09/23/2004 Chaptered by Secretary of State. Chapter No. 725 <b>Position:</b> CALCOG-Opp, SCAG-Opp 06/03/2004
CA AB 2847	<b>AUTHOR:</b> Oropeza (D) <b>TITLE:</b> Gasoline and Motor Vehicle Diesel Fuel Fee <b>FISCAL COMMITTEE:</b> yes <b>URGENCY CLAUSE:</b> yes <b>INTRODUCED:</b> 02/20/2004 <b>LAST AMEND:</b> 04/27/2004 <b>LOCATION:</b> Assembly Appropriations Committee <b>000074</b>



**SUMMARY:**

Imposes a fee of an unspecified amount on each gallon of gasoline subject to the Motor Vehicle Fuel License Tax Law and each gallon of motor vehicle diesel fuel subject to the Diesel Fuel Tax Law. Provides the revenues from the fee would be deposited in the Highway Fee Fund created by the bill. Requires revenues from the fee to be used only to finance the maintenance, operation and improvement of the state highway and local street and road system.

**STATUS:**

05/19/2004 In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.  
05/19/2004 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

**NOTES:**

Oropeza Staff: Andrew Antwih (916) 319-2093

**COMMENTARY:**

Consistent with 2001 and 2004 RTP financing strategies in that it provides additional transportation revenue within RTP planning horizon.

**Position:** CALCOG-OppUnlesAmend

CA AB 2880

**AUTHOR:** Pavley (D)  
**TITLE:** Vehicles: Registration: Fees: Increase  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/20/2004  
**LAST AMEND:** 08/17/2004  
**LOCATION:** Senate Third Reading File  
**SUMMARY:**

Increases the motor vehicle registration surcharge that offsets the costs of the Carl Moyer Memorial Air Quality Standards Attainment Program for projects to reduce oxides of nitrogen from heavy-duty mobile sources and the Voluntary Accelerated Light-Duty Vehicle Retirement Program that provide incentives for the retirement of passenger motor vehicles. Requires the Sacramento Metropolitan Air Quality Management District to use the funds for air quality improvements. Relates to school buses.

**STATUS:**

08/17/2004 In SENATE. Read second time and amended. To third reading.

CA AB 3047

**AUTHOR:** Assembly Transportation Committee  
**TITLE:** Transportation  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 03/01/2004  
**ENACTED:** 09/21/2004  
**LOCATION:** Chaptered  
**CHAPTER:** 650  
**SUMMARY:**

Authorizes the Transportation Commission to relinquish portions of certain highways to specified local agencies. Revises projects supported by the toll surcharge on bay area toll bridges. Relates to the statement on a smog certificate upon the transfer of a motor vehicle. Relates to provisions governing the traffic violation point system. Relates to the provisions governing the fee for abatement of abandoned vehicles. Relates to placards and plates for disabled persons.

**STATUS:**

09/21/2004 Signed by GOVERNOR.  
09/21/2004 Chaptered by Secretary of State. Chapter No. 650

CA AB 3048

**AUTHOR:** Oropeza (D)  
**TITLE:** Transportation: Alternate Bidding Methods  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 03/01/2004  
**LAST AMEND:** 08/23/2004  
**LOCATION:** Senate Transportation Committee  
**SUMMARY:**

Establishes bidding requirements for a design-build procurement program for highway projects.

**STATUS:**

08/24/2004 Re-referred to SENATE Committees on TRANSPORTATION and APPROPRIATIONS.

CA ACA 21

**AUTHOR:** Bogh (R)

000035

**TITLE:** Motor Vehicle Fuel Sales Tax Revenue  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 01/07/2004  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:**

Provides for a State Constitutional Amendment that would change the vote requirement to 4/5 of the membership of each house of the Legislature in order to enact a statute suspending in whole or in part the transfer of motor vehicle fuel sales tax revenue from the General Fund to the Transportation Investment Fund.

**STATUS:**

06/21/2004 In ASSEMBLY Committee on TRANSPORTATION: Failed passage.  
**NOTES:** Spitzer Staff: Dane Wadle (pron. Wadley) (916) 319-2071

**COMMENTARY:**

ACA 21 restricts reallocation of Proposition 42 transportation revenues but does not prohibit reallocation. 2004 RTP calls for amendment to prohibit reallocation.

CA ACA 24

**AUTHOR:** Dutra (D)  
**TITLE:** Transportation Investment Fund: Loans  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/13/2004  
**LAST AMEND:** 04/29/2004  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Proposes an amendment to the Constitution to authorize the Legislature to loan funds in the Transportation Investment Fund to the General Fund or any other state fund or account or to local agencies, under conditions that are similar to conditions applicable to loans of revenue already in the Constitution.

**STATUS:**

05/19/2004 In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.  
 05/19/2004 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

**NOTES:** Dutra Staff: Mr. Chris Tapio (916) 319-2020

**COMMENTARY:**

Similar measure to SCA 7 (Murray), a measure supported by the RC in 2003 that requires the repayment of transportation funds loaned to the General Fund with interest. 2004 RTP calls for prohibition against reallocation of transportation revenues.

**Position:** CALCOG-Sup, CSAC-Sup, SCAG-Sup 08/24/2004

CA ACA 29

**AUTHOR:** Harman (R)  
**TITLE:** Transportation Investment Fund  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 03/11/2004  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Proposes a constitutional amendment that would delete the provision authorizing the Governor and the Legislature to suspend the transfer of revenues from the General Fund to the Transportation Investment Fund for a fiscal year during a fiscal emergency.

**STATUS:**

05/19/2004 In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.  
 05/19/2004 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

**COMMENTARY:**

ACA 29 is consistent with the 2004 adopted RTP.

**Position:** SCAG-Sup 04/15/2004

CA SB 924

**AUTHOR:** Karnette (D)  
**TITLE:** Global Gateways Development Council  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/21/2003  
**VETOED:** 09/15/2004  
**LOCATION:** Vetoed

000036

**SUMMARY:**

Establishes the Global Gateways Development Council in the Business, Transportation and Housing Agency, to review and collect data and information concerning the needs of commercial transportation and to advise the Legislature, the agency, the Transportation Commission, and regional transportation planning agencies in that regard. Requires the council to report annually to the Governor on the condition of the State's goods movement transportation system.

**STATUS:**

09/15/2004

Vetoed by GOVERNOR.

CA SB 1087

**AUTHOR:**

Soto (D)

**TITLE:**

Highways: Safe Routes To School Construction Program

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

01/05/2004

**ENACTED:**

09/09/2004

**LOCATION:**

Chaptered

**CHAPTER:**

392

**SUMMARY:**

Extends the repeal date of projects for the improvement of highway safety and the reduction of traffic congestion. Extends the operation of the Safe Routes to School construction program. Requires the department to continue to study the effectiveness of the program and to report to the Legislature by March 1, 2007.

**STATUS:**

09/09/2004

Signed by GOVERNOR.

09/09/2004

Chaptered by Secretary of State. Chapter No. 392

**Position:**

CSAC-Watch

CA SB 1210

**AUTHOR:**

Torlakson (D)

**TITLE:**

Design-Sequencing Contracts

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/10/2004

**ENACTED:**

09/27/2004

**LOCATION:**

Chaptered

**CHAPTER:**

795

**SUMMARY:**

Relates to the Department of Transportation pilot project to let design-sequencing contracts for the design and construction of not more than 12 transportation projects. Establishes a phase 2 of this pilot project. Requires the Director of Transportation to consider selecting projects that improve interregional and intercounty routes.

**STATUS:**

09/27/2004

Signed by GOVERNOR.

09/27/2004

Chaptered by Secretary of State. Chapter No. 795

CA SB 1507

**AUTHOR:**

Burton (D)

**TITLE:**

Transportation Financing

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/19/2004

**ENACTED:**

09/24/2004

**LOCATION:**

Chaptered

**CHAPTER:**

793

**SUMMARY:**

Relates to moneys in the State Highway Account and the State Transportation Fund pledged for issuing federal highway grant anticipation notes, defining of eligible project for purpose of accelerated construction by the State Transportation Commission, the prohibition of the State Treasurer from authorizing the issuance of notes related to federal transportation funds.

**STATUS:**

09/25/2004

Chaptered by Secretary of State. Chapter No. 793

CA SB 1614

**AUTHOR:**

Torlakson (D)

**TITLE:**

Motor Vehicle Fuel License Taxes: Diesel Fuel Tax

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/20/2004

000037

**LAST AMEND:** 04/29/2004  
**LOCATION:** Senate Transportation Committee  
**SUMMARY:**

Imposes a storage tax equal to the increase in tax on each gallon of tax paid on motor vehicle and diesel fuel, in storage. Provides that a portion of the amounts collected under the Motor Vehicle Fuel License Tax Law and the Diesel Fuel Tax Law are continuously appropriated for specified purposes.

**STATUS:**  
 05/04/2004 In SENATE Committee on TRANSPORTATION: Not heard.  
**NOTES:** Torlakson Staff: Robert Oakes (916) 445-6083

**COMMENTARY:**  
 Similar to AB 2847 (Oropeza), which also imposes a gas fee. Consistent with adopted 2001 and 2004 RTP financing strategies in that it provides additional transportation revenues within the planning horizon.

**Position:** CALCOG-OppUnlesAmend, CSAC-Pending

CA SB 1759

**AUTHOR:** Denham (R)  
**TITLE:** Transportation: Finance  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/20/2004  
**LAST AMEND:** 04/01/2004  
**LOCATION:** Senate Transportation Committee  
**SUMMARY:**

Deletes the requirement that money deposited in the State Highway Account in the State Transportation Fund that is not subject to constitutional requirements to be used for any transportation purpose be transferred to the Public Transportation Account in the State Transportation Fund. Includes money derived from the sale of buildings and other real property within the description of items not subject to constitutional requirements.

**STATUS:**  
 04/27/2004 In SENATE Committee on TRANSPORTATION: Failed passage.  
 04/27/2004 In SENATE Committee on TRANSPORTATION: Reconsideration granted.  
**Position:** CALCOG-Sup

CA SB 1793

**AUTHOR:** McPherson (R)  
**TITLE:** Public Contracts: Design-Build Contracting:  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/20/2004  
**LAST AMEND:** 08/23/2004  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:**

Expresses the intent of the Legislature to explore the use of alternative methods of financing and delivering transportation projects in the state, including design build, design sequencing and various forms of private financing, including tolls. Requires reporting, pre-project and post-project auditing of each project and to compare them to similar design-bid-build or design sequencing projects and report the results to the Legislature.

**STATUS:**  
 08/25/2004 In ASSEMBLY Committee on TRANSPORTATION: Not heard.

CA SCA 2

**AUTHOR:** Torlakson (D)  
**TITLE:** Local Government: Sales Taxes: Transportation  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/02/2002  
**LAST AMEND:** 02/20/2003  
**LOCATION:** Senate Constitutional Amendments Committee  
**SUMMARY:**

Authorizes a county, a city and county, a local transportation authority, or a regional transportation agency, with the approval of a majority of its voters voting on the proposition, to impose a special tax for the privilege of selling tangible personal property at retail that it is otherwise authorized to impose, if the tax is imposed exclusively to fund transportation projects and services and smart growth planning.

**STATUS:**  
 07/14/2004 In SENATE Committee on CONSTITUTIONAL AMENDMENTS: Not heard.

	<b>Position:</b>	CSAC-Opp, League-Opp, SCAG-SupIfAmend
CA SCA 7	<b>AUTHOR:</b>	Murray (D)
	<b>TITLE:</b>	Loans of Transportation Revenues and Funds
	<b>FISCAL COMMITTEE:</b>	yes
	<b>URGENCY CLAUSE:</b>	no
	<b>INTRODUCED:</b>	02/19/2003
	<b>LAST AMEND:</b>	04/28/2003
	<b>LOCATION:</b>	Senate Appropriations Committee
	<b>SUMMARY:</b>	Proposes a Constitutional amendment that requires any loan of motor vehicle fuel and vehicle-related revenues or trust funds that is not repaid within the same fiscal year in which the loan was made, or by a date not more than 30 days after the enactment date of the Budget Bill for the subsequent fiscal year, to be repaid with interest at a specified rate.
	<b>STATUS:</b>	
	05/20/2004	In SENATE Committee on APPROPRIATIONS: Heard, remains in Committee.
	<b>Position:</b>	CSAC-Sup, League-Sup, SCAG-Sup
CA SCA 11	<b>AUTHOR:</b>	Alarcon (D)
	<b>TITLE:</b>	Local Government: Transactions and Use Taxes
	<b>FISCAL COMMITTEE:</b>	no
	<b>URGENCY CLAUSE:</b>	no
	<b>INTRODUCED:</b>	02/26/2003
	<b>LAST AMEND:</b>	03/23/2004
	<b>LOCATION:</b>	Senate Inactive File
	<b>SUMMARY:</b>	Authorizes a local government authorized to incur indebtedness for infrastructure projects to incur, with the approval of 55% of its voters, indebtedness in the form of general obligation bonds to fund infrastructure projects, including construction of affordable housing for persons of very low, low, and moderate income, transportation enhancement activities, acquisitions of land for open-space use, and other infrastructure projects.
	<b>STATUS:</b>	
	08/09/2004	In SENATE. From third reading. To Inactive File.
	<b>Position:</b>	CSAC-Pending, League-Sup
<b>Private file: WaterQuality</b>		
CA AB 1546	<b>AUTHOR:</b>	Simitian (D)
	<b>TITLE:</b>	Local Governments: Vehicle Fee for Stormwater
	<b>FISCAL COMMITTEE:</b>	no
	<b>URGENCY CLAUSE:</b>	no
	<b>INTRODUCED:</b>	02/21/2003
	<b>ENACTED:</b>	09/29/2004
	<b>LOCATION:</b>	Chaptered
	<b>CHAPTER:</b>	931
	<b>SUMMARY:</b>	Authorizes the City/County Association of Governments of San Mateo County to impose an annual fee of up to \$4 on motor vehicles registered within the county for a program for the management of traffic congestion and stormwater pollution within the county. Requires the Department of Motor Vehicles, if requested, to collect the fee and distribute the proceeds to the association.
	<b>STATUS:</b>	
	09/30/2004	Chaptered by Secretary of State. Chapter No. 931
	<b>Subject:</b>	Revenue/Bond, Transport, Water
CA AB 2141	<b>AUTHOR:</b>	Longville (D)
	<b>TITLE:</b>	Floodplain Management: Alluvial Fan Task Force
	<b>FISCAL COMMITTEE:</b>	yes
	<b>URGENCY CLAUSE:</b>	no
	<b>INTRODUCED:</b>	02/18/2004
	<b>ENACTED:</b>	09/29/2004
	<b>LOCATION:</b>	Chaptered
	<b>CHAPTER:</b>	878
	<b>SUMMARY:</b>	

Requires the Director of Water Resources to establish the Alluvial Fan Task Force to review the state of knowledge regarding alluvial fan floodplains and to prepare recommendations relating to alluvial fan floodplain management. Requires the task force to develop a model ordinance on alluvial fan flooding.

**STATUS:**

09/29/2004

Signed by GOVERNOR.

09/29/2004

Chaptered by Secretary of State. Chapter No. 878

**Position:**

SCAG-Sup 09/02/2004

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# Policy Committee Summaries

October 2004

*The following summaries contain Action Items under the purview of the respective Committee.*

## Community, Economic, and Human Development Committee

Item #	Summary
	No Action Items for the Month of October.

## Energy and Environment Committee

Item #	Summary
5.1	<p><b><u>Salton Sea Authority Resolution</u></b></p> <p>Staff presented Resolution 04-455-1 in support of the Salton Sea Authority's efforts to identify and implement corrective measures to preserve the beneficial uses of the Salton Sea and urging early State and local cooperation on action plans and funding.</p> <p>The Salton Sea Authority's Preferred Project Alternative, which this RC Resolution would support, has the following objectives:</p> <ul style="list-style-type: none"><li>• Permitting the continued use of the Salton Sea as a reservoir for irrigation drainage</li><li>• Reducing and stabilizing the overall salinity of the Salton Sea</li><li>• Stabilizing the surface elevation of the Salton Sea and enhancing potential recreational uses and economic development of the Salton Sea</li></ul> <p><i>The Energy and Environment Committee voted to recommend that the Regional Council approve Resolution 04-455-1.</i></p>
5.2	<p><b><u>Intergovernmental Framework for Water Quality</u></b></p> <p>Staff presented a recommendation from the Water Policy Task Force on an intergovernmental framework for water quality. The Energy and Environment Committee (EEC) was asked to recommend that the Regional Council authorize the Executive Director to offer SCAG's assistance to the Los Angeles Regional Water Quality Control Board for development of an intergovernmental framework through which comprehensive and coordinated Total Maximum Daily Load (TMDL) implementation planning can be done for water quality compliance in the Los Angeles River watershed.</p> <p><i>The EEC voted to recommend that the Regional Council approve the Water Policy Task Force recommendation. On the same date, the Regional Council voted to approve the EEC recommendation.</i></p>

## ***Policy Committee Summaries***

October 2004

***The following summaries contain Action Items under the  
purview of the respective Committee.***

### **Transportation and Communications Committee**

<b>Item #</b>	<b>Summary</b>
<b>4.1</b>	<b>No Action Items for the Month of October.</b>



# MEMO

**DATE:** November 4, 2004  
**TO:** The Regional Council  
**FROM:** Tonya Gorham, Government Affairs Analyst  
Phone (213) 236-1988 – e-mail: gorham@scag.ca.gov  
**SUBJECT:** California Performance Review Report

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**RECOMMENDED ACTION:** Receive and File – Information Only

**SUMMARY:**

The California Performance Review (CPR) report was released on August 3, 2004. It is the result of an extensive process initiated by the Governor in February 2004 to scrutinize California government and propose steps to improve service and save money. The report includes several recommendations for improving the State's relationship with local governments, overall government reorganization such as creating a new Infrastructure Department and improving and streamlining the functions of other agencies and departments. The 21 member CPR Commission, appointed by the Governor in June, has held a series of public workshops around the state to receive public input on the report. The Commission held its final public hearing on October 20<sup>th</sup> during which they released a draft of the Commissions Report along with a draft of the Strawman Recommendations of the CPR Commission to be submitted to the Governor. To view the various documents in their entirety please visit the CPR website <http://cpr.ca.gov/>.

**Local Government**

The General Government Section of the report addresses the State's relationship with local governments and local government financing. The following is a list of recommendations related to local governments:

- The Governor's office should create a Local Government Relations Office to improve relations with all levels of local government.
- The Local Government Relations Office should coordinate governmental programs and be responsible for the development of appropriate linkages between the formal and informal institutions of government.
- The Governor should work with the Legislature to identify permanent sources of revenue for local government that are not subject to redirection to the state.
- The Governor should create a special task force to develop outcomes-based performance standards that can be used to evaluate local governments' delivery of state programs.
- The governor should direct state agencies to review pending draft legislation as early in the process as possible and to focus on mandate impacts in their review to make reimbursements more cost efficient, predictable and fair.
- The Governor should direct state agencies to actively review and provide input into the parameters and guidelines documents during the Commission on State Mandates process. This should occur whenever the Commission on State Mandates determines that a reimbursable mandate exist.



- The state should require that tribes renegotiating or entering into new compacts be required to enter into judicially enforceable agreements with local government to address the physical and economic impacts of tribal casinos on the surrounding community.

### **Transportation and Infrastructure**

In the area of Transportation and Infrastructure, the report concludes that California lacks an integral infrastructure policy and that infrastructure projects are not centrally managed or coordinated. The performance review also found that necessary infrastructure investment lacks stable funding and involvement of multiple agencies in infrastructure makes it difficult to complete projects.

As a result of these findings, one of the major proposals in the report is the creation of an integrated Infrastructure Department. The Office of the Secretary for the Infrastructure Department would have the following three divisions:

#### **The Planning, Programming and Evaluation Division**

- ◆ Division would develop a 7-year program of projects to be funded consistent with a 7-year estimate of funds adopted by the Infrastructure Authority (Board of Directors for the Infrastructure Department) every two years.
- ◆ This division would also develop general plan guidelines and formulate regional Transportation plan guidelines.
- ◆ It would take over the programming function of the current Department of Transportation, the California Transportation Commission, Water Resources and the California Energy Commission.

#### **The Research and Development Division**

- ◆ Division would assume the research and development functions of the current Departments of Water Resources and Transportation and the Energy Commission.

#### **The Infrastructure Financing Division**

- ◆ Division would perform the duties of the Infrastructure Bank and assume the financing functions of the Departments of Water Resources, Transportation, High Speed Rail Authority and others.

Along with the aforementioned divisions the report also recommends the Infrastructure Department have six operating divisions: Water; Energy; Transportation; Housing, Building and Construction; Telecommunication; and Boating and Waterways. The Transportation Division would be responsible for approving grants and technical assistance to local government and their transportation agencies. It would assume all the existing functions of the DOT and the High Speed Rail Authority. The Housing, Building and Construction Division would assume the duties of the Department of Housing and Community Development, General Services, State Building Standards Commission, Department of Finance, Department of Community Services and Development and several others.

### **CPR and SCAG**

The report also makes several specific legislative or executive order recommendations on issues relevant to SCAG. Specifically, the report recommends supporting a state constitutional protection of transportation funds and seeking federal earmarks for priority projects two key components of SCAG's 2004 Legislative Program. The report also recommends legislation authorizing the use of delivery methods including Design-Build to expedite project delivery, a legislative concept SCAG helped the California Foundation on Environment and the Economy (CFEE) develop in the last legislative cycle.

Further, several recommendations in the report seek to streamline state processes, including the environmental review process, also advocated by SCAG in past legislative cycles. Some of the recommendations are listed below divided by issue area according to the purview of the SCAG Policy Committee.

**Transportation and Communications Committee:**

- Legislation should be pursued that would authorize the use of different delivery methods including; Design- Build- Operate, and Public-Private Partnerships. (INF 01)
- Amend state law to authorize BTH to determine selection of high occupancy/ toll lane projects and to fund toll bridge maintenance through toll revenues. (INF 05)
- The state owns several routes that it should relinquish to local agencies and eliminate the need for ongoing maintenance of these facilities. Such relinquishment should be done in accordance with existing law and without providing funds for future costs. (INF 13)
- Amend the state constitution assuring taxes collected for transportation are used for transportation projects. Implement flexibility using funds for transportation and develop new fee collection method based on use of highways. (INF 15)
- Coordinate state and local efforts to get federal funds earmarked for priority projects. Pursue federal funds from Homeland Security for Life Line route improvements necessary following disasters. (INF 16)
- Consolidate infrastructure research and development (R& D) under one agency and office and develop an R& D strategic plan. Streamline and standardize administrative procedures. Partner with businesses and technology organizations to identify research concepts with commercial potential. (INF 17)
- Consolidate infrastructure planning and programming under one agency. Streamline and standardize administrative procedures. Also, inventory all infrastructure facilities statewide, assess condition and determine need for funding. Such funding should be linked with performance- based management. The consolidated entity should provide a framework and incentives for local governments to engage in regional planning and comply with State General Plan. (INF 18)
- State highway projects should identify full life cycle costs to ensure project designs are chosen based on long- term benefit and cost implications. Highway systems should be assessed semi-annually on quality as a guide to prioritize funding. Additional funds can be gained by privatizing roadside rest stops, but would require changes to federal requirements. Other savings can be achieved by outsourcing maintenance functions and consolidating and/ or seeking opportunities for sharing assets with other entities. (INF 20)

**Community, Economic and Human Development Committee**

- The state should consolidate housing programs under one agency and streamline and standardize housing general plans. Certain fund diversions/ redirections should occur to ensure continuous monies to local governments to build the necessary housing. Legislation should be pursued that requires redevelopment agencies to spend their 20% set- aside for affordable housing within three years or forfeit the money which would accrue for the purpose of a dedicated affordable housing fund managed by the state. (INF 21)

- Streamline the Environmental Review Process to Discourage Sprawl and Revitalize Older Developed Urban Areas. The Governor should work with the Legislature to amend the Public Resources Code to exempt from further environmental review infill and mixed-use development projects that are consistent with the local government's general plan and accompanying Master Report for older developed urban areas. State agencies should support local infill development through state policies, plans and investments. (INF 37)

#### **Energy and Environment Committee**

- The California Water Plan concept should be updated. The Plan should be integrated into a state general plan process. In addition, the Governor should work with the Legislature to promote regional water planning. (INF 09)
- Establish an Energy Agency responsible for developing and implementing a comprehensive strategy assuring the availability of clean and affordable fuel. Research grant applications and pilot projects should continue to support the development of emerging fuels and related technologies. (INF 24)
- State agencies should implement an interagency issue resolution process. Implement a policy framework that allows infrastructure providers to collaborate with resource agencies early in the planning process to identify and commit to mitigation and streamline CEQA and other permitting processes to expedite project delivery. The agency should work in partnership with local government to provide plans that include incentives for infrastructure projects and services for existing communities to support infill, compact and contiguous development. (INF 35)
- An executive order should be prepared to consolidate planning, programming and evaluation functions of infrastructure agencies into one organization. The appropriate state entities should identify and implement ways to improve environmental and permitting processes. (INF 36)

#### **Resources Conservation and Protection**

Along with the key recommendations under Infrastructure and Transportation planning the CPR report also makes several recommendations under the area of resources conservation and protection, which also fall under the purview of SCAG's Energy and Environment Committee. The report recommends that California's environmental, resources and agricultural stewardship programs focus on outcomes such as cleaner air, water and beaches, rather than on processes such as fines levied. The report outlines specific recommendations in the area of environmental protection to eliminate or consolidate programs and to streamline various processes. In the area of environmental resources the CPR make the following recommendations:

- **Eliminate** programs that have outlived their usefulness or duplicate other functions, such as eliminating the need for the California Integrated Waste Management Board to approve Solid Waste Facility Permits.
- **Consolidate** program administration for Clean Water infrastructure, combine duplicative hazardous materials cleanup programs, merge waste management functions, focus on pollution prevention, and bring together land use and land acquisition efforts.
- **Streamline** permitting processes, improve regulatory compliance and customer service, deliver information technology for the 21st Century to enhance public access, prioritize enforcement and inspection efforts according to public health risks and break down barriers to interagency cooperation. Specifically the report recommends streamlining and eliminating duplicative reporting

for the Environmental Protection and Resources Agencies and using technology to streamline the State-Level Environmental Review.

- Implement fiscal reforms that prioritize funding based on public health risk, environmental needs and program performance. Other improvements include improved fee collections and leveraging state and federal funds more efficiently.

T. Gorham CPR Summary  
Doc#104390

# MEMO

**Date:** October 11, 2004

**To:** Regional Council

**From:** Transportation and Communications Committee

**RE:** Regional High-Occupancy Vehicle Lane System Performance Study

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**RECOMMENDATION:** Information Item.

## **SUMMARY:**

The attached Executive Summary describes ten findings/conclusions and eight recommendations that emerged from this study, all consistent with the adopted 2004 Regional Transportation Plan and with work conducted by the Los Angeles County Metropolitan Transportation Authority (2002).

In overview, polling results confirm that 76% of respondents in the study area support or strongly support HOV lanes. Favored are 24 hours, 7 days-a-week operations, HOV lane separation from mixed-flow lanes and the 2+ HOV lane occupancy requirement.

## **BACKGROUND:**

The Southern California Association of Governments (SCAG) conducted this study for the purpose of analyzing the current performance of the IHOV lane system in the region. The study area consists of the counties of San Bernardino, Riverside, and Orange. Los Angeles County is not included in this study because the Los Angeles County Metropolitan Transportation Authority recently completed the HOV Performance Program Evaluation Report (The Parsons Brinckerhoff Study Team, November 2002) for Los Angeles County, which the SCAG study is designed to complement.

## **DISCUSSION:**

Technical results indicate the continued development and operations of IHOV lanes is followed by gradual growth of ridesharing, existing lanes are well utilized, typical HOV lane trips offer travel time savings ranging from 1-15 minutes, IHOV lane to HOV lane direct connectors (interchanges) although costly reduce accident rates, mobility performance indicators (VMT, VHT and Travel Speed) are optimized with a 2+ occupancy requirement today and well into the future, violation rates are very low (1.2%) and transit operations currently contribute relatively little to person movement in the study counties.

Nov 2004 HOV RC Staff Report.doc



# MEMO

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Through the HOV Study TAC, study recommendations include: (1) continue all-day, all-week, 2+ vehicle occupancy requirements with limited access/egress HOV system operations, (2) address congested segments on a case by case basis, (3) defer 3+ conversion strategies as long as possible, (4) emphasize transit investment to increase occupancy on HOV lanes, (5) complete the programmed and planned HOV lane system including mainline and direct connectors in order to capture system and traveler benefits, (6) undertake future research regarding HOV lane design and implementation, (7) access strategies to increase HOV lane through-put and (8) support HOV performance monitoring.

These recommendations are consistent with the adopted 2004 Regional Transportation Plan. In addition, staff recommends forwarding recommendations relating to transit usage of HOV lanes to SCAG Transit Task Force for further consideration.

## **FISCAL IMPACT:**

All work related to approving the recommended staff action is contained within the adopted FY 2004-2005 budget and does not require the expenditure of any additional financial resources.

attachment



Southern California Association of Governments

# REGIONAL High-Occupancy Vehicle and System PERFORMANCE STUDY

Abstract

Executive Summary

October 2004



## REGIONAL COUNCIL MEMBERS

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President Elect	Supervisor Hank Kuiper, Imperial County
Vice President	Mayor Joan Young, Port Hueneme
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### RIVERSIDE COUNTY

TRANSPORTATION COMMISSION  
Robin Lowe, Hemet

### VENTURA COUNTY

TRANSPORTATION COMMISSION  
Bill Davis, Santa Yvelis

# A REGIONAL HIGH-OCCUPANCY VEHICLE (HOV) LANE SYSTEM PERFORMANCE STUDY EXECUTIVE SUMMARY

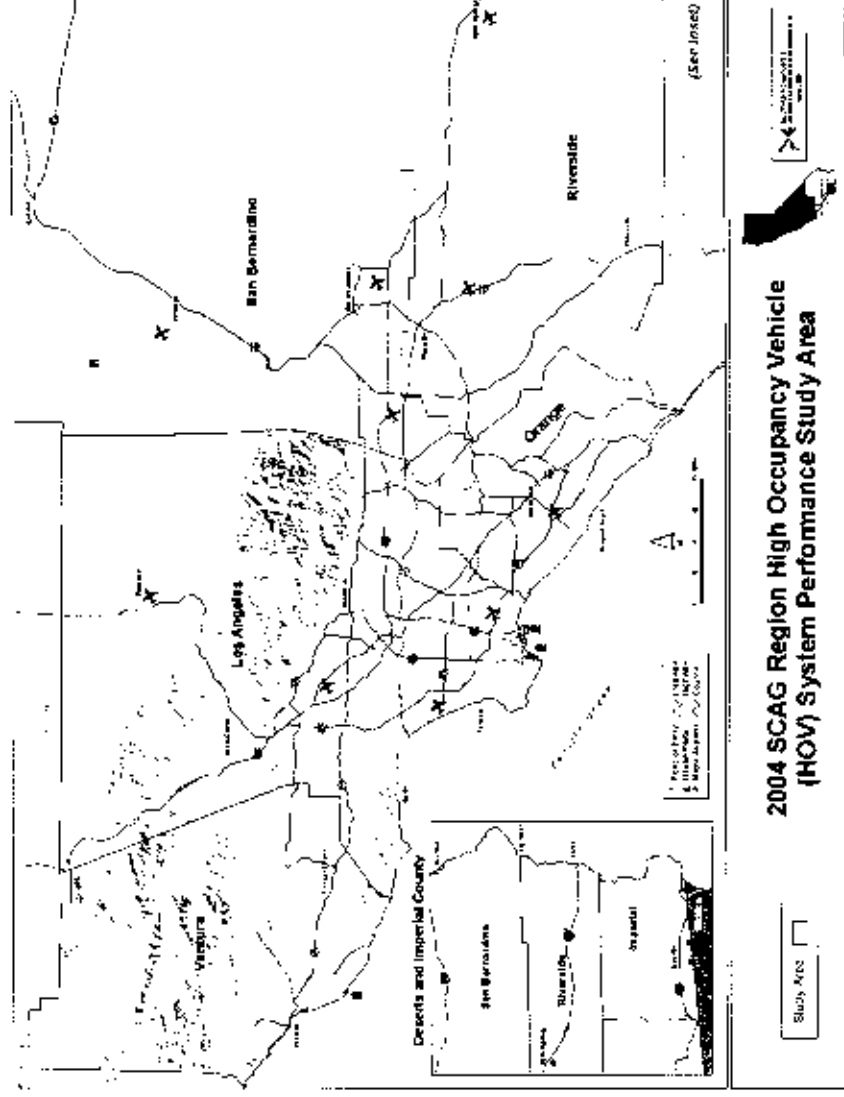
*"HOV gap closures that significantly increase transit and rideshare use will be supported and encouraged...." – 2004 RTP*

## 1.1 INTRODUCTION

High Occupancy Vehicle Lanes, also known as rideshare/carpool lanes, are very popular with the traveling public, enjoying 76% study area support and have become an integral component of Southern California's transportation system.

Since the first HOV lane opened in 1976 in the region (the El Monte Busway, located along on Interstate 10 in Los Angeles County) the HOV system increased to 54.9 lane miles in 1990 to 664 lane miles in 2000 (see Table 1). An additional 739 HOV lane miles are planned for construction by 2030 (see figure 2), for a regional total of 1,430 lane miles and an 1,100% increase in HOV lane mileage. Ventura and Imperial Counties do not currently have any existing or planned HOV lanes.

Figure 1 - Study Area



By comparison, nationally, HOV lanes have grown from 700 miles in 1990, to 3,000 lane miles in 2004, to an estimated 3,700 lane miles by 2010 or a 329% increase.

By allowing high occupancy vehicles (transit buses, or carpools/vanpools) carrying 2+ persons, and in some cases 3+ persons per vehicle to travel in the HOV lanes, the lanes increase the person carrying capacity and the Average Vehicle Occupancy (AVO) of a particular freeway. Furthermore, HOV lanes provide a travel-time incentive and increased trip reliability for buses, vanpools, and carpools, and also air quality benefits.

**Funding:** The preparation of this report was financed in part through grants from the United States Department of Transportation – Federal Highway Administration and the Federal Transit Administration – under provisions of the Transportation Equity Act for the 21st Century (TEA-21). Additional financial assistance was provided by the California State Department of Transportation.

Table 1

HOV SYSTEM MILEAGE (IN LANE MILES)			
	1990	2004*	% Increase
Southern California Region	54.9	664	1109%
United States	700	3000	329%

\*Southern California region mileage is for year 2000  
Sources: SCAG: HOV Facility Development: A Review of National Trends

Figure 2

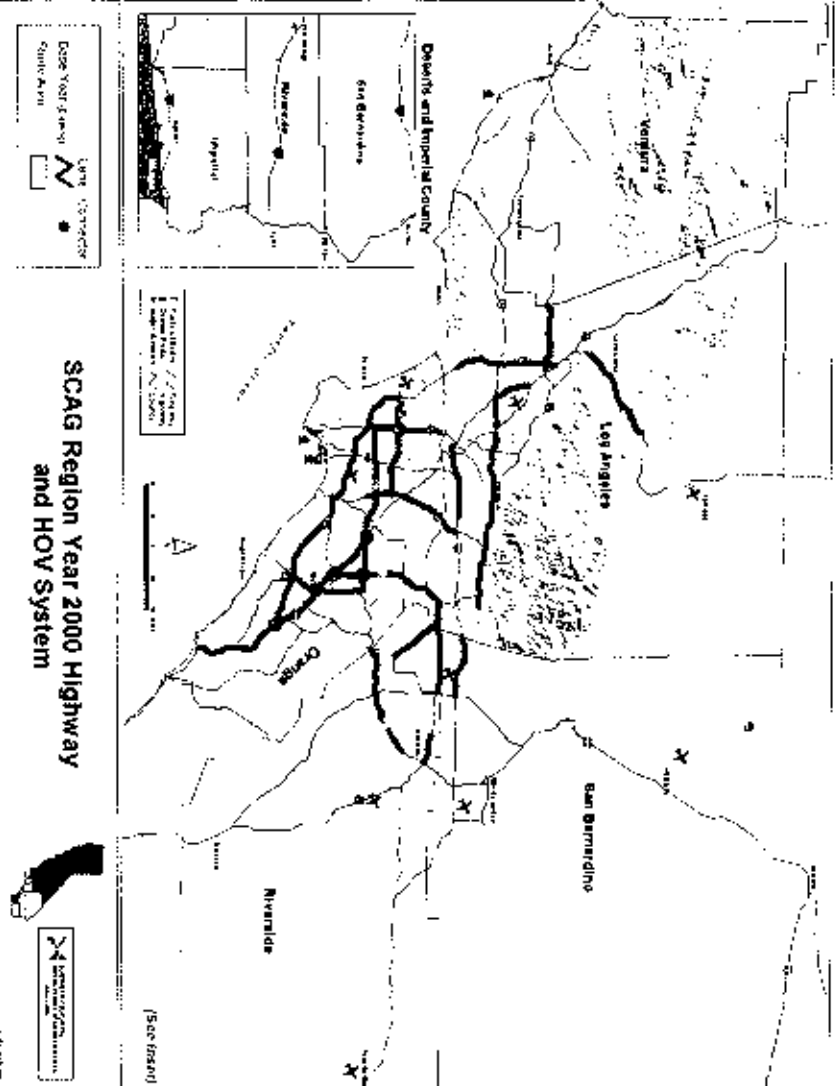
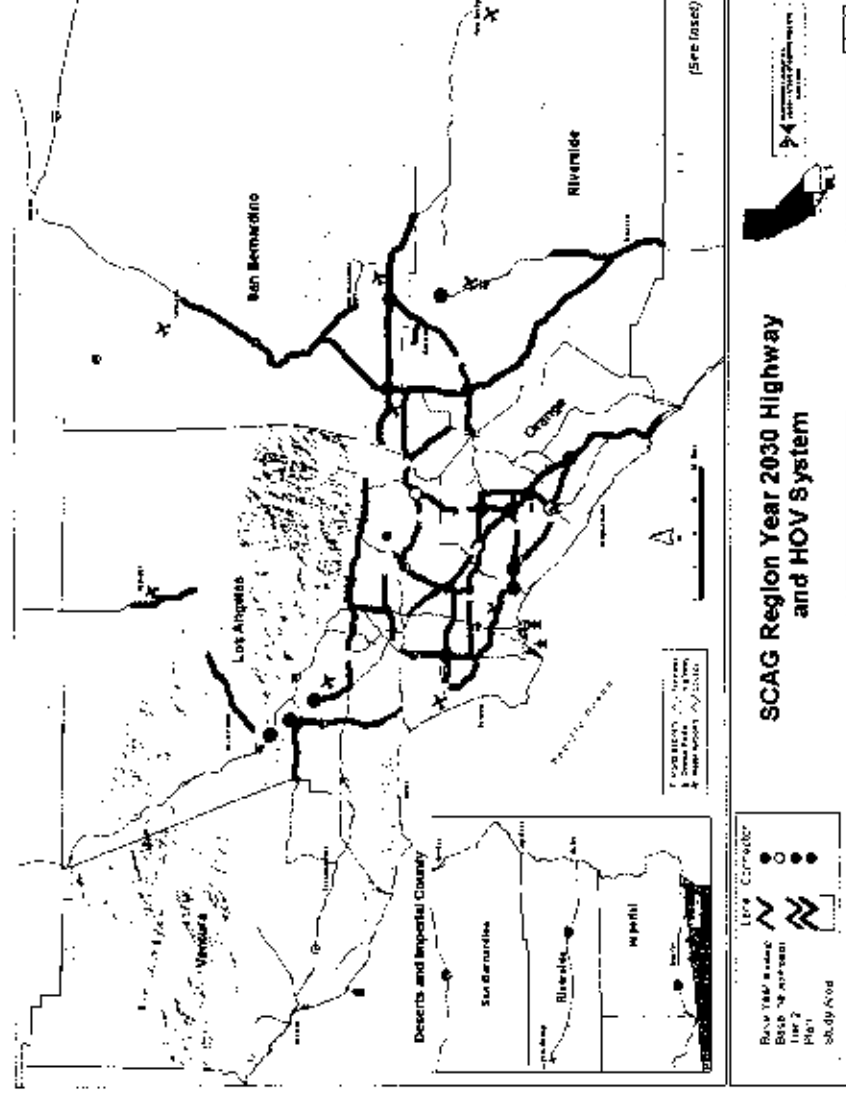


Figure 3



## KEY FINDINGS

- ▲ Survey results show that the general public understands and strongly supports (76%) HOV lanes.
- ▲ Introduction of HOV lanes on freeways has been followed by a gradual growth of ridesharing and an increase in the life span of carpooling and vanpooling arrangements.
- ▲ Existing HOV lanes are well utilized, with most operating near full capacity during the peak periods.
- ▲ With the exception of a few instances where the HOV lanes themselves are congested, HOV lanes provide time savings ranging from one minute to fifteen minutes to rideshare vehicles per trip.
- ▲ There is no evidence that HOV Lanes are subject to a greater accident rate than other freeway lanes, per se. However, the installation of direct HOV-to-HOV connectors almost universally reduced accident rates in the vicinity of the affected intersections.

The Southern California Association of Governments (SCAG) conducted this study for the purpose of analyzing the current performance of the HOV lane system in the region. The study area (see figure 1) consists of the counties of San Bernardino, Riverside, and Orange. Los Angeles County is not included in this study per se because the Los Angeles County Metropolitan Transportation Authority completed an *HOV Performance Program Evaluation Report* (The Parsons Brinckerhoff Study Team, November 2002) for Los Angeles County, which the SCAG study is designed to complement.

Violation rates average 1.2% in the three study counties, well below the 10% level identified as a threshold for concern. Transit operations currently contribute relatively little to person movement on the HOV lanes in the study counties. However, increased transit service may offer significant opportunity to increase the person-

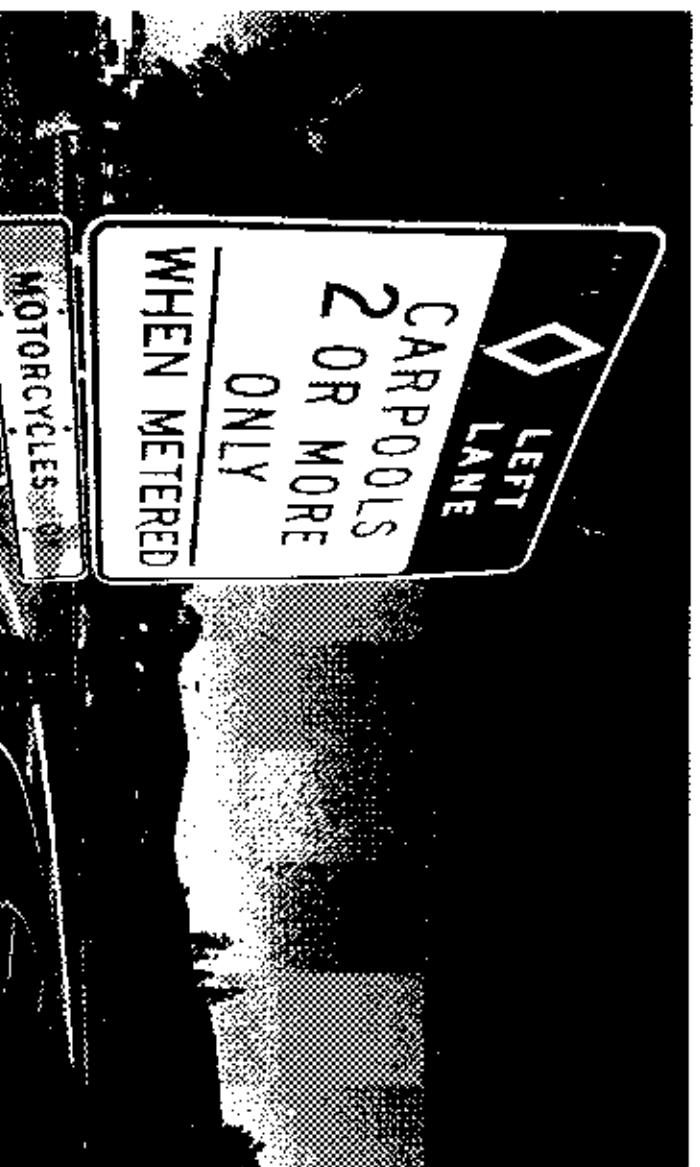
carrying capacity of the existing HOV network. Modeling results indicate that regional VMT, VHT, and average speed are all optimized with a 2+ HOV lane system occupancy requirement. This is superior to a system with no occupancy restrictions, which in turn is superior to a 3+ occupancy restriction.

Continued 24/7 operations of HOV lanes in the study counties is supported and warranted as congestion and peak spreading continue to grow.

The public surveys express a preference for HOV lane separations from mixed flow lanes. Barrier or striped limited access HOV lanes encourages longer trips in the HOV lane, and eases enforcement of violations.

Current occupancy requirements are adequate at this time. Longestion on HOV facilities should be assessed on a case by case basis, and options for greater use of vanpools, carshare, or rescripting to add more HOV capacity where feasible, should be considered. In addition to potential changes in occupancy requirements,

Direct HOV-to-HOV connectors provide congestion relief for both carpools and solo drivers, reduce accident rates in the vicinity of congested interchanges, provide additional time savings for carpools,



and contribute to the continuity of the HOV network. As project costs increase, however, detailed analyses of accident reductions, congestion relief, and time savings are needed on a project-by-project basis to justify the investment of public funds.

#### 2.1.1.1. HOV Lane

Continue all-day, all-week (24/7) HOV lane operations and limited access/egress locations.

Address HOV lane congestion and bottlenecks individually.

Continue to monitor HOV lane

congestion and study strategies for converting HOV occupancy requirements on a case-by-case basis.

Deter 3+ conversion strategies as long as possible. These should be one of the last strategies considered, not the first, and should be implemented only in conjunction with plans to fill excess capacity.



Emphasize transit investments to increase vehicle occupancy.

Complete the HOV lane system to capture all available system and traveler benefits.

Support and maintain an ongoing program of HOV performance monitoring and reporting to support program evaluations

Undertake future research regarding HOV lane design and implementation including validation of the PEMS data base and safety analysis.



## *Resolving Regional Challenges*

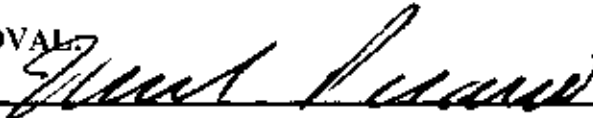
818 W. Seventh Street, 12th Floor • Los Angeles, CA 90017-3435 • 213-236-1800 • [www.scag.com](http://www.scag.com)

# REPORT

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**DATE:** November 4, 2004  
**TO:** Administration Committee  
**FROM:** Zahi Faranesh, Manager /Special Projects and Coordination/Planning and Policy  
(213) 236-1819/ Faranesh@scag.ca.gov  
**RE:** FY 2004-05 Overall Work Program (OWP) Amendment 2

**EXECUTIVE DIRECTORS APPROVAL:**



**RECOMMENDED ACTION:** Approve OWP Amendment 2

**SUMMARY:**

SCAG has recently received approval of the record of expenditures (ROE) which provided us the amount of CPG funding that is available for carryover funding. Management has preformed a review of the program and determined the current needs for the region.

Additional funds have been allocated for new SCAG consultant work and to fully fund existing contracts. SCAG staff projects had funding reallocated where needed without changing the total staff budget. Subregional funds have been added for new projects and to fulfill commitments made in July. Adjustments of the carryover estimates that were included in the original OWP were also made to projects funded with CPG and special grants.

**STAFF RECOMMENDATION:**

Approve the Overall Work Program Amendment 2.

**FISCAL IMPACT:**

Approval of Amendment 2 will increase the FY 2004-05 OWP a total of \$1,279,609 including match. These funds are available to SCAG through carryover of funds from current and previous year's CPG allocation.



**RESOLUTION NO. 04-456-1**

**RESOLUTION OF THE SOUTHERN CALIFORNIA ASSOCIATION OF  
GOVERNMENTS TO APPROVE AND ADOPT AMENDMENT NUMBER 2 TO  
THE FISCAL YEAR 2004-2005 OVERALL WORK PROGRAM (OWP)**

**WHEREAS**, the Southern California Association of Governments (SCAG) is the Metropolitan Planning Organization (MPO) for six counties: Los Angeles, Orange, San Bernardino, Riverside, Ventura and Imperial;

**WHEREAS**, in conjunction with the Overall Work Program Agreement and Master Fund Transfer Agreement, the Overall Work Program (OWP) constitutes the annual funding contract between the State of California Department of Transportation (Caltrans) and SCAG for Consolidated Planning Grant (CPG) funding;

**WHEREAS**, the OWP is the basis for SCAG's annual activities and budget;

**WHEREAS**, SCAG has prepared Amendment No. 2 to the OWP for Fiscal Year (FY) 2004-05 which was reviewed by member agencies and SCAG committees; and,

**WHEREAS**, 23 CFR 450.334 requires that the designated MPO certify that the transportation planning process is addressing the major issues in the metropolitan area and is being conducted in accordance with all applicable requirements.

**NOW, THEREFORE, BE IT RESOLVED** by the Regional Council of the Southern California Association of Governments, that SCAG does hereby approve and adopt Amendment No. 2 to the OWP for FY 2004-2005 and certifies that its planning process will be implemented through the OWP as amended, in accordance with:

1. 23 U.S.C. §134, 49 U.S.C §§5303 through 5306;
2. Sections 174 and 176(c) and (d) of the Clean Air Act as amended, 42 U.S.C. §§7504, 7506(c) and (d);
3. Title VI of the Civil Rights Act of 1964 and the Title VI Assurance executed by California under 23 U.S.C. §324 and 29 U.S.C. §794;
4. Section 1101(b) of the Transportation Equity Act for the 21<sup>st</sup> Century (Pub. L. 105-178, 112 Stat. 107) and any successor thereto, regarding the involvement of disadvantaged business enterprises in FHWA and FTA funded projects (49 C.F.R. part 26); and,
5. The Americans with Disabilities Act of 1990 (42 U.S.C. §12101) and the United States Department of Transportation implementing regulations (49 C.F.R. §§27, 37, and 38).

**BE IT FURTHER RESOLVED:**

1. That SCAG hereby authorizes submittal of its adopted Amendment No. 2 to the OWP for FY 2004-05, to the various participating State and Federal agencies;

2. That SCAG pledges to pay or secure in cash or services, or both, the matching funds necessary for financial assistance;
3. That the SCAG Executive Director, or in his absence, the Deputy Executive Director, is hereby designated and authorized to submit Amendment No. 2 to the OWP for FY 2004-05, and to execute all related agreements on behalf of the Regional Council, to implement purposes of this Resolution;
4. That the SCAG Executive Director, or in his absence, the Deputy Executive Director, is hereby authorized to make and submit to funding agencies, the necessary work program and budget modifications to the OWP for FY 2004-05, as amended, based upon actual available funds, and to draw funds as necessary on a letter of credit or other requisition basis;
5. That the Executive Director, or in his absence, the Executive Director, is hereby authorized to make administrative amendments to the OWP for FY 2004-05, as amended, such as changing work elements or correcting errata.

APPROVED AND ADOPTED by a unanimous vote of the Regional Council of the Southern California Association of Governments at a regular meeting this \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Ron Roberts  
President, SCAG  
City of Temecula

\_\_\_\_\_  
Mark Pisano  
Executive Director

Attest:

\_\_\_\_\_  
Karen Tachiki  
SCAG Chief Legal Counsel

# Amendment Breakdown

<u>Category</u>	<u>Additional Budget*</u>
SCAG Consultant	825,896
Subregional Staff	257,781
Subregional Consultant	216,735
Special Grants	<u>-20,803</u>
<b>Total Amendment Funds</b>	<b>\$1,279,609</b>

\*includes match

SCAG  
FISCAL YEAR 2004-2005  
OVERALL WORK PROGRAM  
AMENDMENT 2

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November 4, 2004

# OWP Overview

## ➤ Current OWP

- Funded work to be finished from last year
- New work

## ➤ Amendment

- Revise work scopes and schedules
- Add limited new work, fully fund existing work
- Based on FY 2003-04 Statement of Expenditures, and previously unprogrammed funds, SCAG has \$2,280,290 CPG funding available



# OWP Amendment 2

## Funding Recommendations

- Adjustments to reflect actual contract balances
- Adjustments to staff allocations between various work elements
- New SCAG and subregional projects
- Only program funds we can spend in order to maximize funding available July 1
- Text changes to clarify information and schedules

# Staff Review



- Call for projects was made to the subregions
- SCAG discussed the Amendment with the subregions at the August 26 & September 23 coordinators meetings
- SCAG staff discussed the proposed changes with Caltrans
- SCAG staff reviewed expenditures and progress to date of all projects

# FY 2004 - 2005 Work Elements

<u>CPG</u>	<u>BUDGET*</u>	<u>AMENDMENT*</u>
20System Planning	\$919,148	\$955,093
20Transportation Finance	388,474	511,355
20Environmental Planning	995,565	1,109,262
20Air Quality & Conformity	1,202,455	1,001,854
20RTIP	844,360	844,360
20Regional Comprehensive Plan	706,634	671,604
20Data	1,982,181	2,137,181
20GIS	1,118,676	1,158,676
20Growth Visioning	2,237,349	2,521,624
20Regional Forecasting	1,270,678	1,224,641

\* Includes Match



# FY 2004 - 2005 Work Elements

<u>CPG cont.</u>	<u>BUDGET*</u>	<u>AMENDMENT*</u>
☛Corridor Planning	\$679,264	\$618,883
☛Modeling	3,061,070	3,416,070
☛Monitoring	636,552	726,552
☛Public Information	1,268,098	1,504,867
☛ITS	66,491	66,491
☛Security	182,184	182,184
☛OWP Development	1,535,922	1,494,816
☛Goods Movement	1,167,914	1,417,914
☛Transit	<u>471,329</u>	<u>471,329</u>
	<b>Subtotal: \$20,734,344</b>	<b>\$22,034,756</b>

\* Includes Match

# FY 2004 - 2005 Work Elements

<u>5313B</u>	<u>BUDGET*</u>	<u>AMENDMENT*</u>
☞ Transit Security	\$7,523	\$7,523
☞ Inter Regional Rail Study	338,500	338,500
☞ Partner Transit Health Services	134,850	157,124
☞ Transit Security Management Training	56,479	56,479
☞ Ontario International Ground Access	212,500	145,714
☞ LADOT Training	41,000	41,000
☞ Chino-Ontario Transportation Plan	80,666	105,782
☞ Transit Village Plan-Palmdale	57,211	56,495
☞ Internship/Training Transit Planning	<u>56,478</u>	<u>0</u>
<b>Subtotal:</b>	<b>\$985,287</b>	<b>\$908,617</b>

\* Includes Match

# FY 2004 - 2005 Work Elements

<u>OTHER FEDERAL</u>	<u>BUDGET*</u>	<u>AMENDMENT*</u>
Aviation	\$2,325,367	\$2,456,203
I-15 Corridor Study	625,000	642,028
MAGLEV	3,490,850	3,461,027
ITS	<u>3,304,303</u>	<u>3,247,240</u>
<b>Subtotal:</b>	<b>\$9,745,520</b>	<b>\$9,806,498</b>
 <u>SP&amp;R</u>		
CETAP	<b>Subtotal: \$375,000</b>	<b>\$375,000</b>
 <u>STATE</u>		
Regional Energy Efficiency	\$15,000	\$6,568
Bike & Ped Safety	80,000	80,000
Watershed Planning	<u>71,060</u>	<u>74,301</u>
<b>Subtotal:</b>	<b>\$166,060</b>	<b>160,869</b>
<b>Grand Total:</b>	<b>\$32,006,131</b>	<b>\$33,285,740</b>

\* Includes Match

# FY 05-06 BUDGET BRIEFING

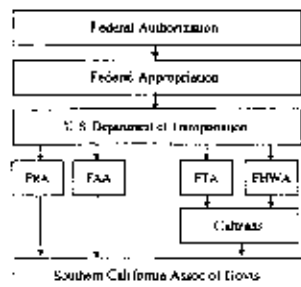
## FY 05-06 Budget Briefing

November 4, 2004

### Overview

- ☐ Flow of Funds
- ☐ OWP
  - Sources
  - Uses
- ☐ General Fund
- ☐ Calendar

### Flow of Funds



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## Two budget components

- ☐ Overall Work Program
- ☐ General Fund

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## Overall Work Program (OWP)

- ☐ What is the OWP?
  - A plan of projects
    - ☐ Required programs
    - ☐ Priority areas
    - ☐ Meet SCAG's federal and state requirements

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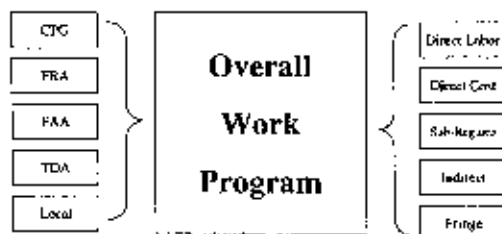
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## Revenues and Costs



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### Discussion of major fund sources

- FHWA
- FTA
- FRA
- FAA
- TDA
- Local (hard & soft match)

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### Federal Highway Administration

- FHWA
  - Also known as 'PL' funds
  - To be used for Transportation Plans and Transportation Improvement Programs
  - Allocated to MPOs by a state formula
  - We get about \$12m, or 37% of state total

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### Federal Transit Administration

- FTA
  - Also known as '5303' funds
  - To be used for Transportation Plans and Programs
  - Allocated to MPOs via a base allocation plus a percentage of population
  - We get about \$5.5m, or 15% of state total
  - 5313(b) program is NOT formula driven

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## Federal Railroad Administration

### □ FRA

- Funds the 'MagLev' budget
- Objective is to demonstrate high speed maglev technology in commercial service
- Program began in 1998
- Congress allocated \$218B for six years
- In FY 04-05 2.5M is budgeted

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## Federal Aviation Administration

### □ FAA

- Used to fund 'Regional aviation planning'
- Not necessarily awarded every year
- We are currently funding three projects
- In FY 04-05 \$2.1M of FAA is budgeted

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## Transportation Development Act

### □ TDA

- Allocated to SCAG via California law
  - Cal Pub Util Code 99233.2
- Our four Transportation Commissions allocate \$1,000,000 to SCAG per the law
- Amount has not changed since 1979
- Used primarily as local match for SCAG's federal funds

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### Local (match)

- ☐ All grants require a local match
- ☐ Matching requirement varies from 10% (FAA) to 50% (MagLev)
- ☐ Total match in FY 04-05 OWP is:  
**\$4,539,000**
- ☐ There are two types of match

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### Local (match)

- |   |   |
|---|---|
| <input type="checkbox"/> <b>Hard Match</b> <ul style="list-style-type: none"><li>■ Each Federal grant requires some local match</li><li>■ TDA is largest source for SCAG projects</li><li>■ Some partners provide their own local funds to meet matching requirements</li></ul> | <input type="checkbox"/> <b>Soft Match</b> <ul style="list-style-type: none"><li>■ Grants allow matching via local funds spent on similar, but not same, projects</li><li>■ We use this technique to match SCAG's staff expenses</li><li>■ Accounts for \$3m in current OWP</li></ul> |
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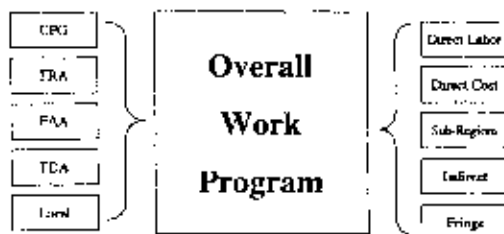
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### Revenues and Costs



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## RC's Priority Matrix

Priority Matrix

	Low	Med	High	Very High
Low				
Med				
High				
Very High				

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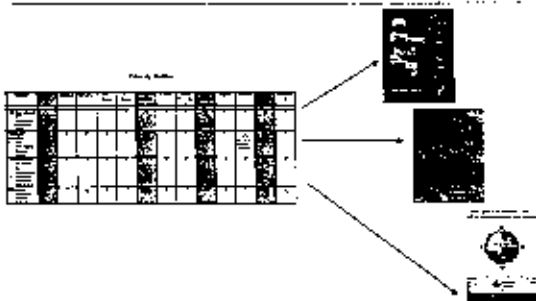
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## Turning priorities into products




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## Indirect Cost budget (IC)

- What is the Indirect Cost budget?
  - Pays for activities not project specific
    - Operations, Admin, HR, Legal, Finance, Contracts
- How does the IC get funded
  - A rate, approved by Caltrans, is applied to all OWP & GF salaries & fringe benefits
  - E.G. for every \$1,000 of direct salaries and fringe benefits, the IC gets \$1,120 (112%)

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## Fringe Benefit Budget (FB)

- What is the Fringe Benefit budget?
  - Pays for all leave costs
    - Vacation, sick leave, holidays
  - Pays for all fringe benefits
    - Health Ins, retirement, other employee benefits
  - How does the FB get funded
    - A rate is applied to all OWP, GF and IC permanent salaries
    - E.G. for every \$1,000 of salaries, the FB gets \$580 (58%)

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## General Fund Budget (GF)

- What is the General Fund budget?
  - Paid for by member dues
  - Pays for activities desired by the RC but not eligible for grant funding
    - Lobbying, certain legal expense, etc
  - Pays for RC special projects
    - Mag Lev travel, General Assembly

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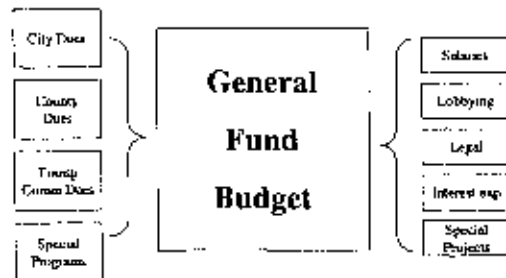
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## Revenues and Costs



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Budget Calendar		
November	December	January
Budget Briefing		
February	March	April
Approve draft budget	Submit OWP portion of budget to Chairmen	Intermodal Planning Group (IPG) meetings
May	June	July
Approve final budget		Start new fiscal year

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FY 05-06 Budget Briefing
The End

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# MEMO

**DATE:** October 15, 2004  
**TO:** Administration Committee and Regional Council  
**FROM:** Heather Copp, CFO *HC*  
(213) 236-1804, [copp@scag.ca.gov](mailto:copp@scag.ca.gov)  
**RE:** Annual Financial Statements

**EXECUTIVE DIRECTOR'S APPROVAL:**

*M. A. Vroman*

**SUMMARY:** The drafts of the comprehensive annual financial report, single audit and management letter for Fiscal Year 2004 were reviewed and discussed at the Audit and Best Practices Subcommittee meeting on October 13. They are now submitted in final form to receive and file.

**BACKGROUND:** The annual fiscal audit was performed by KPMG for the fourth consecutive year. Attached are copies of the Fiscal Year 2004 comprehensive annual financial report, single audit and management letter. We are pleased to report the opinions are unqualified and the management letter states that the one prior year finding has been fully resolved and there are no findings for this year.

You will notice for the second year, the financial statements include a color cover, transmittal letter and a management discussion and analysis. These changes were due to implementation of GASB 34 and KPMG's continued opinion that the statements should be submitted for recognition by the Government Finance Officer's Association annual award.

We are pleased to provide you with these documents a month earlier than last year as another indication of the improvements that have been made in SCAG's financial administration.

**FISCAL IMPACT:** *HC*

None  
#104131v1



SOUTHERN CALIFORNIA  
ASSOCIATION of GOVERNMENTS

000070

# REPORT

**DATE:** November 4, 2004  
**TO:** Regional Council  
**FROM:** Daniel Griset, Senior Regional Planner, (213) 236-1895, [griset@scag.ca.gov](mailto:griset@scag.ca.gov)  
**SUBJECT:** Salton Sea Authority Support Resolution

EXECUTIVE DIRECTOR'S APPROVAL:

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## RECOMMENDED ACTION:

Energy and Environment Committee recommends that the Regional Council approve Resolution #04-455-1 supporting the Salton Sea Authority's Efforts to Identify and Implement Corrective Measures to Preserve the Beneficial Uses of the Salton Sea and urging early State and Local Cooperation on Action Plans and Funding.

## BACKGROUND:

The Salton Sea is a lake occupying a desert basin known as the Salton Sink. This body of water covers a surface area of 376 square miles, making it the largest lake in California. The Salton Sea has a unique make-up. By virtue of its location in the Colorado Desert ecosystem, an area with average annual precipitation of less than 3 inches per year, the Sea receives minimal inflow from rain. 90 percent of the entire inflow to the Sea is agricultural runoff from the Imperial, Coachella, and Mexicali Valleys. This inflow carries nutrients, such as phosphates and nitrates, which support the rich and abundant life in the Sea. The inflow also carries an abundance of salt (and thus the Sea's name).

### *The Sea's Challenges*

The very things that make this lake so unique and such a rich source of abundant life are placing the Sea's existence at risk. The nutrients that provide such an abundant source of food for fish are at levels that alter the available oxygen in the water. Its salt content may someday be so high as to compromise the reproductive ability of fish and, thus, their survival. Without fish, the hundreds of species of birds that rely on fish for food, and the economic status of the Sea as a productive fishery, would be threatened.

Its unique feature of being a shallow, closed basin renders it vulnerable to increases or reductions in inflows, which can dramatically change its elevation. The proposed transfer of water from the Imperial Valley to San Diego as part of the reduction of California's Colorado River use, the possible reclamation of New River water by Mexico, and the increased evaporation from the Sea's restoration all threaten to reduce lake levels. The result could be potential air quality problems caused by blowing dust, seaside homes stranded far from the Sea, and greatly accelerated concentrations of salts and nutrients.

### *Movement towards Restoration*

The Salton Sea Authority has recognized the Sea's challenges and has begun the restoration process, to not only sustain the Sea, but also revitalize it as an environmental and economic wellspring. The Salton Sea Authority, along with the U.S. Department of Interior's Bureau of Reclamation, has begun efforts to maintain the Sea as an agricultural drainage reservoir, restore the wildlife resources and habitats, stimulate recreational use, and provide an environment for economic development.

### *The Authority's Preferred Project Selection*

Following the development of alternative restoration plans the Authority selected a Preferred Project for support and funding. The process leading up to this selection is documented in the *Salton Sea Restoration Preferred Project Report* (an Executive Summary is available at [http://www.saltosea.ca.gov/media/ppr\\_summary.pdf](http://www.saltosea.ca.gov/media/ppr_summary.pdf)). The Report documents the process that resulted in the Authority's identification of a Preferred Project Alternative, including discussion of how the Sea could respond to inflow reductions and provision of restoration options according to the program objectives authorized in the Salton Sea Restoration Reclamation Act of 1998.

This Preferred Project Alternative involves construction of a mid-sea barrier that would divide the Sea into two marine areas. The northern area would be maintained to achieve lower salinity levels while the southern area would become increasingly saline by design. As water reclamation occurs, the residual salts would be accumulated in the more saline water body. Water inflows from the New and Alamo Rivers would be managed to support a variety of wetlands, habitats and fishing areas at the edges of the southern area.

The objectives of the Preferred Project Alternative are summarized as follows:

- Permitting the continued use of the Salton Sea as a reservoir for irrigation drainage,
- Reducing and stabilizing the overall salinity of the Salton Sea,
- Stabilizing the surface elevation of the Salton Sea,
- Reclaiming, in the long term, healthy fish and wildlife resources and their habitats, and
- Enhancing the potential for recreational uses and economic development of the Salton Sea.

Another important consideration in the restoration of the Sea is the role the state has through its financial obligations in the Quantification Settlement Agreement (QSA) reached in 2003 between various water, state and federal agencies. The QSA set up the terms for the transfer of Colorado River water from farms in the Imperial Valley to urban consumers in San Diego County. Within these terms, the QSA linked the Sea's restoration to the management of water resources in the Coachella and Imperial Valleys.

Because of the state's financial obligations (defined both in the QSA and other agreements) it has a key role in determining what corrective actions are to be taken for the Sea's restoration. This added level of study and decision making is a matter of concern for the Authority, a regional joint powers authority with broad governmental representation and participation. The Authority has voiced concern about the effect of the state's planning and policy process, especially the potential for duplications of effort and needless delays in getting Sea restoration efforts underway. Even with the

state's role in project approval and funding, the Authority seeks an affirmation of its role as the lead agency in matters relating to planning and implementation of Salton Sea restoration measures.

Staff has prepared a resolution that addresses these concerns and recognizes the need for continuous cooperation between the Authority and other funding partners in a timely selection of a final action plan for restoration of the Sea. With the selection of an action plan that has the support of the Authority and the state, the prospects will immediately improve for realizing a long-awaited vision of the Salton Sea as one of the region's valued environmental resources.

**FISCAL IMPACT:** SCAG's adoption of the recommended resolution will have no fiscal impact on SCAG. The staff expense related to work on these water issues is supported by funding from work element 05-320. *TC*

DOCS #104038 v1



**RESOLUTION No. 04-455-1**

**A RESOLUTION OF  
THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS  
IN SUPPORT OF  
THE SALTON SEA AUTHORITY'S ROLE AS THE LEAD AGENCY IN  
IDENTIFYING AND IMPLEMENTING CORRECTIVE MEASURES TO  
PRESERVE THE BENEFICIAL USES OF THE SALTON SEA**

**WHEREAS**, the Southern California Association of Governments (SCAG) is the Metropolitan Planning Organization (MPO) for six counties: Imperial, Los Angeles, Orange, San Bernardino, Riverside, and Ventura;

**WHEREAS**, the Salton Sea is California's largest inland water body with beneficial uses including fisheries and wildlife habitat, recreation, and preservation of endangered species.

**WHEREAS**, the Salton Sea ecosystem is a critical link on the international Pacific flyway and supports a productive fishery and over 300 species of birds.

**WHEREAS**, with the loss of wetlands areas within California, the Salton Sea ecosystem has become an even more important ecological resource.

**WHEREAS**, the Sea is threatened by increasing salinity and water loss.

**WHEREAS**, the Salton Sea Authority is a joint powers agency chartered by the State of California in a Joint Powers Agreement on June 2, 1993 and serves as the local lead agency for identifying and implementing corrective measures to preserve the beneficial uses of the Sea.

**WHEREAS**, the Salton Sea Authority is comprised of Riverside County, Imperial County, Imperial Irrigation District, and the Coachella Valley Water District, with pending full membership by the Torres Martinez Desert Cahuilla Tribe. It's ex-officio members include the Southern California Association of Governments, the Imperial Valley Association of Governments and the Coachella Valley Association of Governments. It has cooperative relationships with the Federal lead agency, the U.S. Bureau of Reclamation and the United States Geological Survey Salton Sea Science Office, and the University of Redlands. It has worked closely on restoration efforts with the Regional Water Quality Control Board, regional universities, the Salton Sea Environmental Coalition, and many state, federal and local agencies.

**WHEREAS**, the Salton Sea Authority has made a concerted effort to collect all known suggestions for remediation of the Salton Sea and has subjected these proposals to formal review against specified criteria. The Salton Sea Authority has implemented, with various partners, projects and programs to improve wildlife health, the fishery, water quality and the aesthetic environment of the area. The Authority also is taking concrete steps in



preparing for the detailed planning of a remediation project known as its Preferred Project Alternative.

**WHEREAS**, recent State legislation linked to the Colorado River Quantification Settlement Agreement (QSA) recognizes the Salton Sea as a critical environmental issue to be addressed and provides up to \$50 million in Proposition 50 funds and approximately \$300 million from the sale of water that would otherwise flow to the Sea for that purpose.

**WHEREAS**, in response to the recent state QSA legislation, the State of California is implementing a new Salton Sea Restoration process funded by Proposition 50 funds.

**WHEREAS**, the Salton Sea Authority Board of Directors has expressed concerns that another State planning process will potentially duplicate efforts, waste resources, and delay selection of a preferred project design.

**NOW, THEREFORE, BE IT RESOLVED** by the Regional Council of the Southern California Association of Governments, that SCAG does hereby support the Salton Sea Authority in its role as the lead agency for developing and implementing measures to preserve and restore the beneficial uses of the Sea.

**BE IT FURTHER RESOLVED** that SCAG urges the State to join the Salton Sea Authority, the Bureau of Reclamation, the Salton Sea Science Office and other key stakeholders to coordinate planning efforts and minimize unnecessary delays in selecting a final plan of action for stabilizing the long-term future of the Salton Sea ecosystem.

**APPROVED AND ADOPTED** by the [vote] of the Regional Council of the Southern California Association of Governments at a regular meeting on this 7<sup>th</sup> day of October, 2004.

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RON ROBERTS  
President, SCAG  
Councilmember, City of Temecula

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Mark Pisano  
Executive Director, SCAG

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Karen Tachiki  
Chief Legal Counsel, SCAG

# REPORT

DATE: November 4, 2004

TO: Administration Committee

FROM: Arnold San Miguel, Senior Government Affairs Analyst, (951) 784-3526  
sanmiguel@scag.ca.gov

SUBJECT: Report from Mr. Joe Myers, Exec. Dir., National Indian Justice Center

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## BACKGROUND:

In November 2002 the SCAG Regional Council approved the 2002 Strategic Plan. One of the goals includes establishing a role for Native Americans in the regional planning process. The goal provides for the formation a Native American Advisory Committee with a direct line to the Regional Council, including the possibility of one voting member on the Regional Council. In order to establish a role for Native Americans SCAG has organized, in cooperation with Tribal Governments, four Summits during the past year for the purposes of determining how SCAG and the Tribal Governments may communicate and participate together in the regional planning process.

In order to provide needed expertise SCAG hired Mr. Joe Myers, Executive Director of the National Indian Justice Center (see attached bio) to help with furthering our relationship with the sixteen federally recognized Tribal Governments in the SCAG Region. Mr. Myers is with us today to provide his perspective regarding SCAG's effort to involve Tribal Governments in the regional planning process.

Presented below is some additional background information in response to questions from the October Administration Committee and Regional Council meetings. Questions posed to legal counsel will be addressed separately by the General Counsel.

## Tribal Governments in the SCAG Region

There are 16 federally recognized Tribal Governments in the SCAG region. Twelve of the Tribes are located in Riverside County, five are located in San Bernardino County and there is one Tribe in Imperial County. Some reservations cross county and state lines. Ventura County is home to a band of Chumash Indians, which have a federally recognized band in Santa Barbara County. Overall in the State of California there are 109 federally recognized Tribal Governments. According the Bureau of Indian Affairs there are 64 tribal groups in California currently petitioning for federal recognition -sixteen are in the SCAG Region. Presented below is a table providing 2002 census population and household information for each Tribal Government in the SCAG region.

# REPORT

Federally Recognized Tribal Governments in SCAG region			
2000 Population and Household Data			
County	Tribes Name	2000 Population	2000 Household
Imperial	Fort Yuma (Quechan) *	2,340	769
Riverside	Agua Caliente	21,358	11,861
Riverside	Augustine	0	0
Riverside	Cabazon	806	179
Riverside	Cahuilla	154	48
Riverside	Colorado River *	1,735	849
Riverside	Morongo	954	300
Riverside	Pechanga	467	148
Riverside	Ramona	0	0
Riverside	Santa Rosa	65	19
Riverside	Soboba	522	157
Riverside	Torres-Martinez	4,146	868
San Bernardino	Chemehuevi	345	157
San Bernardino	Fort Mojave *	251	82
San Bernardino	San Manuel	74	24
San Bernardino	Twenty-Nine Palms	0	0
Total		33,217	15,461
* Tribal lands extend beyond the SCAG region.			
Figures include population & households in SCAG region only			

## Elections in Tribal Governments

Tribal Council members or Business Committee members are elected from the official membership roll of each tribe. The tribal membership roll is not the same as the population living on the reservation. Tribal membership ranges from less than ten to nearly 1,500 for the Tribal Governments in the region. Each of the Tribal Governments have different policies for electing Tribal Chairpersons, Vice Chairpersons, Secretary-Treasurers and Tribal Council members. Depending on the tribe the term of office is different for Tribal Officers (Chairpersons, V. Chairpersons and the Secretary/Treasurer) and Tribal Council members. The term of office can range from 1 to 2 years for Tribal Council members and 2 to 4-years for Tribal Officers. The frequency of elections may also vary, for example, all Tribal Council seats are open in one election cycle or elections are held in staggered years. The Bureau of Indian Affairs, Department of the Interior certifies tribal council election results.

## Working with Tribal Governments

The Transportation Equity Act of the 21<sup>st</sup> Century (TEA-21) of 1998 and state transportation planning law emphasize the importance of involving Native Americans in transportation planning. As a designated Metropolitan Planning Organization (MPO) under federal law and a Regional Transportation Planning Agency (RTPA) under state law, SCAG must ensure that regional transportation plans and programs includes a public participation process that

# REPORT

involves Tribal Governments. Separate and preceding the public participation effort, the regional transportation planning process must meet federal and state requirements to consult (referred to as "consultation") with Tribal Governments in the development of regional transportation plans and programs. The term "consultation" means that one party confers with another, and prior to taking action(s), considers that party's views.

In February 2002, Caltrans issued a "Regional Planning Handbook," which stipulates that relationships between the MPO and Tribal Government should be determined by negotiation of the involved parties. Caltrans outlines, "Some Tribal Governments may elect to join, fully or in part, the transportation planning activities of the MPO/RTPA. In such instances, the parties may decide if it is appropriate to include the Tribal government's representative as a voting member on the MPO's/RTPA's Governing Board."<sup>1</sup>

Caltrans in 1997 established the Native American Advisory Committee to improve the government-to-government relationship between the Indian Tribes of California and the California Department of Transportation. This Committee provides advice to the Director of the Department regarding matters of interest or concern to the Tribal Governments and their constituents.

## Tribal Governments in the Subregions

Except for the Coachella Valley Association of Governments (CVAG), the Councils of Governments and Transportation Commissions do not provide for the membership of Tribal Governments on their governing boards. The Coachella Valley Association of Governments (CVAG) has entered into Memorandums of Understanding with three tribal governments, the Agua Caliente Band of Cahuilla Indians, the Cabazon Band of Mission Indians and the Torres Martinez Desert Cahuilla Indians.

## Summits with Tribal Governments

During the past year SCAG has convened four Summits with the Tribal Governments (9/20/03; 2/20/04; 6/30/04 and 9/9/04). Each Summit has provided the opportunity to build relationships and understanding. We have had tremendous attendance including Tribal Chairpersons, Vice Chairs, Tribal Council members, staff and consultants. This attendance is significant especially during the Governor recall effort, this election year cycle and propositions on the ballot. Attendance and comments at the Summits indicate strong interest from a number of Tribal Governments to explore how both SCAG and the Tribal Governments may work together in the regional planning process.

**FISCAL IMPACT:** Staff activities relating this item are contained within the adopted FY 2004-2005 budget.

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<sup>1</sup> Caltrans "Regional Planning Handbook" (Feb. 4, 2002) at 7-3 and 7-4.

### Biographical Information

JOSEPH A. MYERS, a member of the Pomo Tribe of northern California, is the Executive Director of the National Indian Justice Center, (NIJC) an Indian owned and operated non-profit corporation with principal offices in Santa Rosa, California. He helped to create NIJC in 1983, as an independent resource for tribal governments and their courts. The NIJC designs and conducts legal education, research, and technical assistance programs aimed at improving the administration of justice in Indian country. From 1976 to 1983 Mr. Myers served as associate director of the American Indian Lawyer Training Program, in charge of its tribal court advocate training project. He is a graduate of the University of California, Berkeley, School of Law at Boalt Hall. Mr. Myers is an authority on American Indian affairs and has written extensively on Indian issues. He is well recognized for his work for Indian communities. In 1993, Mr. Myers received national recognition from Attorney General Janet Reno for his work on behalf of victims of crime in Indian country. On December 6, 2002, the California Wellness Foundation awarded Mr. Myers the California Peace Prize for his work in violence prevention on Indian reservations.

# MEMO

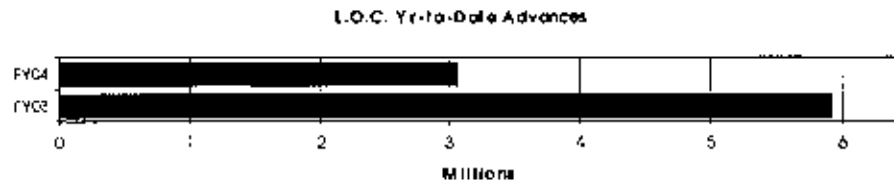
**DATE:** October 12, 2004  
**TO:** Administration Committee and Regional Council  
**FROM:** Heather Copp, Chief Financial Officer  
(213) 236-1804, [copp@scag.ca.gov](mailto:copp@scag.ca.gov)  
**RE:** Monthly Report for September 2004

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## Information Only

**Background:** This report contains information about SCAG's cash flow, Budget and expense data.

**Cash Flow:** At end of September, the Letter of Credit (LOC) liability was again zero. The Association has been able to have 52 debt free days in the first 90 days of the fiscal year.



**Budget and Expenses:** Attached is the SCAG Agency-Wide budget. This financial data is directly exported from the SAP system. The Agencywide budget is all inclusive of the OWP, General Fund, Indirect Cost and the Fringe Benefits budgets. We have categorized each of the several accounts in the Agency-Wide Budget to give you a 'Big Picture'. These categories are summarized below and detailed on the following pages.

### Percent of year: 25%

Category	Budget	YTD Expends	Balance	Percent Spent
Staff	9,463,493	1,942,817	7,520,676	21%
Consultant	11,698,309	274,751	11,423,558	2%
Sub Regions	1,376,692	0	1,376,692	0%
Direct Costs	4,548,274	916,935	3,607,340	20%
Fringe Benefits	3,324,808	904,472	2,421,336	27%
Other	3,175,051	0	3,175,051	0%
Total	33,562,627	4,037,975	29,524,653	12%

### September Highlights

- Closed and reconciled the accounts on schedule.
- Provided all financial information requested by KPMG (external auditor) promptly and accurately.
- KPMG completed the financial audit fieldwork on schedule by 9/30/04, 1 month ahead of last year.

Pc Dcs 104251

Budget v. Actual and Encumbrances  
Through September - 25% of year

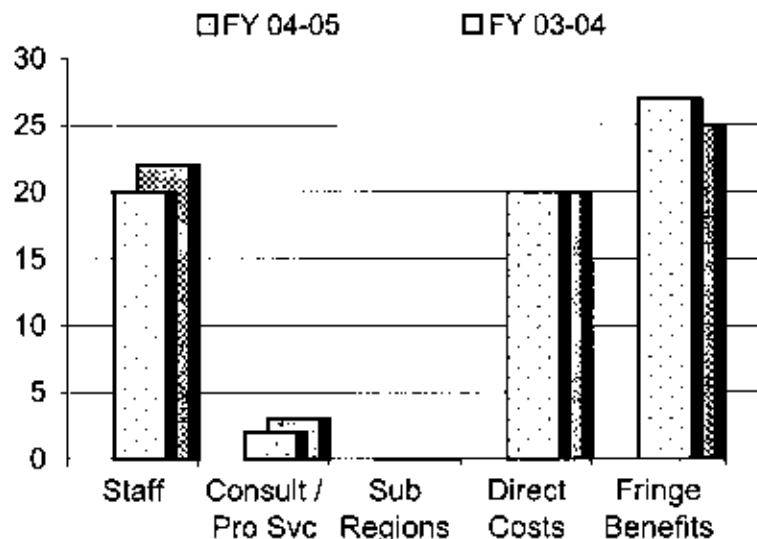
		Yr to Date Expenditures Thru September	Balance	Pct of Bud	Encum- brances	YTD Expenditures Plus Encumbrs	Balance	P B
	Budget							
<b>Staff</b>								
Salaries	9,363,493	1,904,127	7,459,366	20%	-	1,904,127	7,459,366	2
Temporary help	100,000	38,690	61,310	39%	70,940	109,629	(9,629)	11
	<b>9,463,493</b>	<b>1,942,817</b>	<b>7,520,676</b>	<b>21%</b>	<b>70,940</b>	<b>2,013,756</b>	<b>7,449,737</b>	<b>2</b>
<b>Consultant / Professional Services</b>								
SCAG consultant	10,362,409	67,350	10,295,059	1%	5,484,256	5,551,607	4,810,802	5
Legal services	435,000	44,063	390,937	10%	380,437	424,500	10,500	9
Professional services	900,900	163,338	737,562	18%	618,394	781,733	119,167	8
	<b>11,698,309</b>	<b>274,751</b>	<b>11,423,558</b>	<b>2%</b>	<b>6,483,087</b>	<b>6,757,840</b>	<b>4,940,469</b>	<b>5</b>
<b>Sub Regions</b>								
Subregional consultant	354,359	0	354,359	0%	321,603	321,603	32,756	9
Subregional staff projects	1,022,333	0	1,022,333	0%	1,022,333	1,022,333	0	10
	<b>1,376,692</b>	<b>-</b>	<b>1,376,692</b>	<b>0%</b>	<b>1,343,936</b>	<b>1,343,936</b>	<b>32,756</b>	<b>9</b>
<b>Direct Costs</b>								
Internet access fees	3,000	299	2,701	10%	1,497	1,796	1,204	6
Software support	115,000	58,417	56,583	51%	1,294	59,712	55,288	5
Hardware support	35,000	7,399	27,601	21%	16,953	24,352	10,648	7
Software purchases	28,000	0	28,000	0%	3,909	3,909	24,091	1
Office rent - main office	1,400,000	279,572	1,120,428	20%	951,229	1,230,801	169,199	8
Office rent - satellite office	38,000	8,816	29,184	23%	26,245	35,061	2,939	9
Equipment leases	340,000	83,282	256,718	24%	216,435	299,717	40,283	8
Equipment repairs	25,000	1,873	23,127	7%	15,493	17,366	7,634	6
Insurance	180,000	162,034	17,966	90%	-	162,034	17,966	9
Payroll and bank process fees	25,000	5,857	19,143	23%	-	5,857	19,143	2
Office supplies	100,000	17,114	82,886	17%	70,687	87,801	12,199	8
Small Office Purchase	0	0	0	0%	6,749	6,749	(6,749)	
Telephone charges	80,000	13,644	66,356	17%	2,891	16,534	63,466	2
Postage and delivery	80,000	16,870	63,130	21%	219	17,088	62,912	2
SCAG memberships	70,500	64,020	6,480	91%	489	64,509	5,991	9
Professional memberships	7,500	693	6,808	9%	150	843	6,658	1
Resource materials and subs	22,000	9,873	12,127	45%	16,743	26,616	(4,616)	12
Depreciation - furniture	32,700	4,881	27,819	15%	-	4,881	27,819	1
Depreciation - computer	85,000	10,227	74,773	12%	-	10,227	74,773	1
Capital outlay	464,100	0	464,100	0%	87,468	87,468	376,633	1
Recruitment notices	20,000	1,875	18,125	9%	13,884	15,758	4,242	7
Public notices	25,000	2,699	22,301	11%	404	3,103	21,897	1
Staff training	50,000	12,725	37,275	25%	5,501	18,226	31,774	3
RC & committee meetings	20,000	2,249	17,751	11%	7,139	9,387	10,613	4
RC retreat	15,000	0	15,000	0%	-	0	15,000	
RC general assembly	10,000	0	10,000	0%	-	0	10,000	
Other meeting expense	47,500	15,250	32,250	32%	11,000	26,250	21,250	5
Miscellaneous	381,547	33,662	347,885	9%	51,926	85,588	295,959	2
RC meeting stipends	130,000	19,300	110,700	15%	-	19,300	110,700	1
Letter of credit interest	250,000	6,455	243,545	3%	-	6,455	243,545	
Caltrans rapid pay fees	2,000	375	1,625	19%	-	375	1,625	1
Cash contributions to projects	10,000	47,540	(37,540)	475%	-	47,540	(37,540)	47
Printing	162,727	1,033	161,694	1%	1,185	2,218	160,509	
Travel	200,900	19,344	181,556	10%	350	19,694	181,206	1
Travel - event registration	18,800	3,769	15,031	20%	6,167	9,926	8,874	5
AMPO board expense	1,000	0	1,000	0%	-	0	1,000	
RC special projects	49,000	5,788	43,212	12%	8,711	14,499	34,501	3
	<b>4,524,274</b>	<b>916,935</b>	<b>3,607,340</b>	<b>20%</b>	<b>1,524,708</b>	<b>2,441,640</b>	<b>2,082,636</b>	<b>5</b>

Budget v. Actual and Encumbrances  
Through September - 25% of year

	Budget	Yr to Date Expenditures Thru September	Balance	Pct of Bud	Encum- brances	YTD Expenditures Plus Encumbrs	Balance	P B
<b>Fringe Benefits</b>								
Vacation accrual reconciliation	0	(20,078)	20,078	0%	-	(20,078)	20,078	
Sick leave payback	0	(3,271)	3,271	0%	-	(3,271)	3,271	
Severance and awards	0	39,832	(39,832)	0%	-	39,832	(39,832)	
Retirement - PERS	1,376,879	301,899	1,074,980	22%	-	301,899	1,074,980	2
Retirement - PARS	55,800	28,456	27,344	51%	-	28,456	27,344	5
Health insurance	773,000	173,651	599,349	22%	-	173,651	599,349	2
Dental insurance	78,895	24,417	54,478	31%	-	24,417	54,478	3
Vision insurance	30,000	6,663	23,337	22%	-	6,663	23,337	2
Life insurance	110,000	23,144	86,856	21%	-	23,144	86,856	2
Medical & dental cash rebates	316,000	48,085	267,915	15%	-	48,085	267,915	1
Medicare tax	135,137	24,748	110,389	18%	-	24,748	110,389	1
Tuition reimbursements	15,000	263	14,737	2%	-	263	14,737	
Bus passes	15,000	2,611	12,389	17%	-	2,611	12,389	1
Carpool reimbursements	5,000	595	4,405	12%	-	595	4,405	1
Bus passes - taxable	75,000	13,500	61,500	18%	-	13,500	61,500	1
Workers comp insurance (1)	230,097	233,900	(3,803)	102%	-	233,900	(3,803)	10
Unemployment insurance	40,000	303	39,697	1%	-	303	39,697	
Deferred comp match	65,000	4,026	60,974	6%	-	4,026	60,974	
Benefit administration fees	4,000	728	3,272	18%	-	728	3,272	1
	<b>3,324,808</b>	<b>903,472</b>	<b>2,421,336</b>	<b>27%</b>	-	<b>903,472</b>	<b>2,421,336</b>	<b>2</b>
<b>Other</b>								
Soft match contributions	3,063,230	0	3,063,230	0%	3,063,230	3,063,230	0	10
Reconcile to Burden	111,821	0	111,821	0%	-	0	111,821	
	<b>3,175,051</b>	<b>-</b>	<b>3,175,051</b>	<b>0%</b>	<b>3,063,230</b>	<b>3,063,230</b>	<b>111,821</b>	<b>9</b>
<b>Grand totals:</b>	<b>33,562,627</b>	<b>4,037,975</b>	<b>29,524,653</b>	<b>12%</b>	<b>12,485,901</b>	<b>16,523,874</b>	<b>17,038,755</b>	<b>4</b>

(1) Note: Workers Comp, in Fringe budget, paid in full, in July

### % of Budget Spent @ 25% of year





Budget v. Actual and Encumbrances  
General Fund Only  
Through September - 25% of year

	Yr to Date Expenditures			Pct of Bud	Encum- brances	YTD Expenditures Plus Encumbrs		P
	Budget	Thru Sept.	Balance				Balance	B
<b>Staff</b>								
Salaries	9,153		9,153	0%		0	9,153	0
Fringe burden	5,050		5,050	0%		0	5,050	0
Indirect burden	15,797		15,797	0%		0	15,797	0
	<b>30,000</b>	<b>0</b>	<b>30,000</b>	<b>0%</b>	<b>0</b>	<b>0</b>	<b>30,000</b>	<b>0</b>
<b>Consultant / Professional Services</b>								
Legal services	200,000	11,800	188,200	6%	188,200	200,000	0	100
Professional services	280,000	53,432	226,568	19%	227,368	280,800	(800)	100
	<b>480,000</b>	<b>65,232</b>	<b>414,768</b>	<b>14%</b>	<b>415,568</b>	<b>480,800</b>	<b>(800)</b>	<b>100</b>
<b>Direct Costs</b>								
SCAG memberships	13,500	12,313	1,187	91%		12,313	1,187	91
Capital outlay	100,000		100,000	0%			100,000	0
RC & committee meetings	20,000	2,249	17,751	11%	7,139	9,388	10,612	47
RC retreat	15,000		15,000	0%			15,000	0
RC general assembly	15,000		15,000	0%			15,000	0
RC meeting stipends	130,000	19,300	110,700	15%		19,300	110,700	15
Letter of credit interest	250,000	6,455	243,545	3%		6,455	243,545	3
Caltrans rapid pay fees	2,000	375	1,625	19%		375	1,625	19
Cash contributions to projects	10,000	47,540	(37,540)	475%		47,540	(37,540)	475
Travel	17,000	942	16,058	6%		942	16,058	6
Travel - event registration	3,000	30	2,970	1%	1,925	1,955	1,045	65
AMPO board expense	1,000		1,000	0%		0	1,000	0
RC special projects	40,500	5,788	34,712	14%	8,711	14,499	26,001	36
	<b>617,000</b>	<b>94,992</b>	<b>522,008</b>	<b>15%</b>	<b>17,775</b>	<b>112,767</b>	<b>504,233</b>	<b>18</b>
<b>Grand totals:</b>	<b>1,127,000</b>	<b>160,224</b>	<b>966,776</b>	<b>14%</b>	<b>433,343</b>	<b>593,567</b>	<b>533,433</b>	<b>53</b>